



The Scottish Parliament  
Pàrlamaid na h-Alba

## Official Report

# EDUCATION AND CULTURE COMMITTEE

Tuesday 5 August 2014

Session 4

---

© Parliamentary copyright. Scottish Parliamentary Corporate Body

Information on the Scottish Parliament's copyright policy can be found on the website - [www.scottish.parliament.uk](http://www.scottish.parliament.uk) or by contacting Public Information on 0131 348 5000

---

**Tuesday 5 August 2014**

**CONTENTS**

<b>TAKING CHILDREN INTO CARE INQUIRY .....</b>	<b>Col. 4245</b>
--	------------------

---

**EDUCATION AND CULTURE COMMITTEE**  
**19<sup>th</sup> Meeting 2014, Session 4**

**CONVENER**

\*Stewart Maxwell (West Scotland) (SNP)

**DEPUTY CONVENER**

\*Neil Bibby (West Scotland) (Lab)

**COMMITTEE MEMBERS**

George Adam (Paisley) (SNP)

\*Clare Adamson (Central Scotland) (SNP)

\*Jayne Baxter (Mid Scotland and Fife) (Lab)

\*Colin Beattie (Midlothian North and Musselburgh) (SNP)

\*Gordon MacDonald (Edinburgh Pentlands) (SNP)

Liam McArthur (Orkney Islands) (LD)

\*Mary Scanlon (Highlands and Islands) (Con)

\*attended

**THE FOLLOWING ALSO PARTICIPATED:**

Kevin Browne (Who Cares? Scotland)

Ashley Cameron (Who Cares? Scotland)

Duncan Dunlop (Who Cares? Scotland)

Joan McAlpine (South Scotland) (SNP) (Committee Substitute)

Caroline Richardson (Who Cares? Scotland)

Thomas Timlin (Who Cares? Scotland)

**CLERK TO THE COMMITTEE**

Terry Shevlin

**LOCATION**

The Mary Fairfax Somerville Room (CR2)



# Scottish Parliament

## Education and Culture Committee

*Tuesday 5 August 2014*

[The Convener *opened the meeting at 10:08*]

### Taking Children into Care Inquiry

**The Convener (Stewart Maxwell):** Good morning. I welcome everyone to the 19th meeting in 2014 of the Education and Culture Committee. I remind all those present that electronic devices should be switched off because they interfere with the broadcasting system. I welcome Joan McAlpine to the committee, as substitute for George Adam. We have received apologies from George and from Liam McArthur. It is slightly unusual for everyone to be back in Parliament in August, but I am sure that it is welcome nonetheless.

The sole item on the agenda is an update on the report on our inquiry into decision making on taking children into care. We published the report almost a year ago. It gave a clear commitment that we would return to the issue in the future; this agenda item is part of that commitment.

We have spent a great deal of time considering the issue, both in the inquiry and in the passage of the subsequent Children and Young People (Scotland) Bill. It is fair to say that we want to maintain the momentum of the work that we have undertaken over the past couple of years and to ensure that public bodies, the Government and others involved in the issue respond appropriately to the challenges that we laid out in our report.

I am delighted to welcome Who Cares? Scotland to the committee. Good morning, everybody. Who Cares? Scotland, and the young people whom it represents, provided invaluable support to the committee during our inquiry. We thank you again for that support. Before I invite Who Cares? Scotland to make an opening statement, I point out that Ashley Cameron—if she does not mind my saying so—won the National Union of Students Scotland student of the year award. Is that correct?

**Ashley Cameron (Who Cares? Scotland):** I did.

**The Convener:** Congratulations on that. I am sure that it was well deserved.

**Ashley Cameron:** Thank you very much.

**The Convener:** I hope that I will not embarrass Ashley by saying that, as well as being involved in

the committee's inquiry and being very helpful to us during it, she has gone on to do fantastic work outwith her great work in helping the committee, for which she has been recognised by the NUS through the student of the year award. Well done, Ashley.

I now hand over to the witnesses from Who Cares? Scotland for 15 minutes or so. They will give us a presentation on the report, their views on it and the progress that has been made thus far. I am sure that they will not miss the opportunity to point out some of the challenges and issues that still face children and young people in Scotland. I hand over to Duncan Dunlop.

**Duncan Dunlop (Who Cares? Scotland):** Thank you very much. I am going to hand over to Ashley Cameron.

**Ashley Cameron:** Thank you.

First of all, I want to say thanks. I am genuinely a different person from the one you met a year ago. I am braver, I am stronger and I am more committed than ever to achieving, to bucking the trend and to leading by example. That is why I am delighted to be here today to explain the impact that the committee's having listened to me and others like me has had. I am pleased to confirm that more than we ever thought possible has come from that relationship. Yes: we believe that we have a relationship with the committee, and we are very proud to say that. You invited us in when others were locking us out, much of the time subconsciously.

I want to introduce the committee to my colleagues and friends who are here today. You all know Duncan Dunlop, who is chief executive officer at Who Cares? Scotland. After I have chatted to the committee, I will pass you on to Thomas Timlin, who is a qualified social worker and has care experience. He will hand on to Caroline Richardson, who is Who Cares? Scotland's advocacy and participation manager, and who also has care experience. Finally, but by no means least, the committee will hear from Kevin Browne, who is the senior corporate parenting officer at Who Cares? Scotland. He, too, has care experience. They will all discuss with you the impact of the decision-making process on looked-after children and will use their personal and professional experiences in discussing how young people need to be placed at the absolute heart of those decisions to ensure that they are involved and listened to and, ultimately, that they have a voice.

When the Scottish Parliament first asked me to give evidence as part of the committee's inquiry, I did not have much reason to hope for a better life for myself—never mind for future generations of Scotland's children. My life was full of broken

promises, and my path to a brighter future was blocked. I have shared with you my care experience and I do not want to repeat it in full, but please know that my care experience created that blocked path, and I was not sure that giving evidence to the committee would help to knock down those blocks.

However, I knew that I trusted Who Cares? Scotland. I listened to Denny Ford when he explained to me what the inquiry was for, what it could do and how I could play a role. I decided to go for it, and I am so glad that I did. That first day in the Who Cares? Scotland offices on 17 December 2012 was intense. Afterwards, I felt drained—I felt that I had finally let everything out. Taking a huge leap of faith, I put faith in those who listened that they would do something with what they had heard from me and my other amazingly strong and brave peers—many of whom sit behind me. The people who listened were the committee.

The period until publication of the final inquiry report on 23 September 2013 saw a lot of my faith paying off. In fact, I had never felt so accepted, positive, respected, understood and listened to. I felt liberated. I felt that my time had come to carve out a new path—one filled with educational achievements, career ambitions, friends and family, and, of course, my beautiful dogs at home. I had a future. Not only were I and Scotland's children being listened to, but for the first time in my life, I started listening to myself.

10:15

I managed, with help, the ups and downs of sharing me with this Parliament. Sometimes, they made me feel sad, sore, emotional and down, but saying it all out loud—you must bear in mind that I was now listening to myself and starting to believe in me—made me realise that I had had a raw deal in life. If it had not been for a handful of people who believed in me and who loved me for who I am, I might have thrown in the towel.

That is where Mary Bateman, my advocacy worker, comes in. She has seen every single part of me; in fact, she embraced me and all parts of my identity way before I did. She was by my side. When decisions were being made about my life, she was always there. Life was tough in care, but it could have been a lot worse had it not been for Mary.

I wish every one of Scotland's children had a Mary Bateman. What the committee did in its inquiry by inviting us to speak, and by listening to and acting on what we said is what Mary does every single day for children and young people who are just like me. She has no idea of the light and the love that she brings into my life.

I want to give the committee a wee update on what I have achieved over the past year. You have to know that I am really not sure that I would, if I had not started this conversation with the committee back in December 2012, have been able to tell you what I am about to tell you. I started working with Who Cares? Scotland, having taken advantage of a community jobs Scotland funded post that it had secured. I have loved the work and have helped to kick-start the national campaign asking Scotland to listen to looked-after children. I am now one of the faces of the campaign, which has grown arms and legs.

I also overcame about a one in 251,000 chance of becoming the National Union of Students Scotland's student of the year—me, who was on my third chance at further education. I had never won anything in my life. I and those who gave evidence to the committee, some of whom are sitting behind me this morning, were awarded the Young Scot community award and the overall young Scots of the year award 2014 for what we had done. Can you imagine what it felt like being stars for a night, being recognised, being praised for being us, and having us and our identities not only recognised but judged in a good way—indeed, in the best way? Most of Scotland's children in care do not get judged in a good way, and ultimately they all deserve to feel how we felt that night.

In September, I am off to study for a BSc in politics and social policy at the University of Stirling. I cannot wait. Me? A graduate? Bring it on. In fact, an MSP lodged a motion, congratulating me on my efforts, and the First Minister wrote me a personal letter. Can you imagine what that means to me, given the childhood that I have had? I want every one of Scotland's children to have a year like the one that I have had, or the equivalent. Every other parent strives for that for their own children. They help them to find their voice, to grow as people, to dream about their futures and never ever to lose hope or faith in who they are. We need our corporate parents to want the same for us, because people are interested in what we have to say, and change is possible. Indeed, change is inevitable.

The journey that I have taken with the committee has inspired me to want to sit where members are in 10 years' time. You have sent a strong message to every MSP and decision maker in this Parliament and beyond, and we have sent a strong message of hope and change to Scotland's children and young people. As the famous phrase of past campaigners goes, "Nothing about us, without us, is for us." When you bring us in and include us from the absolute start, we can make change together, with one another, by guiding each other and using each other. That is

democracy. What we have seen in this inquiry is democracy in action, and I will do all that I can to ensure that it continues.

I now hand over to Thomas Timlin, who will explain the consequences of his not being involved in the decisions that have been made about his life.

**Thomas Timlin (Who Cares? Scotland):**

Thank you, Ashley. Good morning, ladies and gentlemen. Like Ashley, whom you know, and Kevin Browne and Caroline Richardson, whom you will hear from, I could also be considered to be a successful care leaver.

I am a development officer with Who Cares? Scotland. In 2014, I graduated as a qualified social work practitioner and was awarded the Amundsen trophy from the University of the West of Scotland.

During my time with Who Cares? Scotland, I have heard, while providing advocacy for individuals and groups, many young people share their experiences with others. In doing so, they have challenged oppression, inspired change and found their voice, which has led to the most important changes in the law for more than a generation. That is why being involved in decision making matters, and it is why, in turn, I am here to share my experiences, because throughout my time in care I was not included in decisions; rather, they were made about me.

For many young people, what happened in the committee was unique: it was the first time that they felt that they had been actively listened to. The committee legitimised the care identity. The experience was an empowering one, and not just for those who met the committee: I was empowered, too, and that is why I am here. I want you to know that your actions went much further than this room.

I was born into a large family and am part of a sibling group of seven. My family began to engage with social services six years prior to my birth. I was in and out of care, and my twin and I were always placed together, but we were never sure when we would see our siblings again. From birth, I was used to moving backwards and forwards, from a formal care placement to back home with my birth parents. I never questioned it because it was my reality.

My reality was also that of social workers coming in and out of the family home and my time with my parents abruptly coming to an end. Sometimes, that was because neighbours would hear my mum and dad trashing the place, sometimes it was because social workers would find us wearing carrier bags instead of nappies, and sometimes it was because my parents had taken to squatting in order to get us a house with a front and back door.

My life was full of change. I do not remember being asked what I wanted. Life was a mixture of new foster families, schools and cultures. Once accommodated, I would not see my parents for several months, I would not see my brothers and sisters and I would not know where I was going.

My longest foster placement lasted for around three years from the age of three until just before I was seven. Unfortunately, the placement was not good. In 2013, after I was required to give evidence in court for two full days, my foster mother was found guilty of abusing me and other young people. The experience was traumatic and I had to relive my childhood, with certain aspects being laboured during the trial. My life, my story, was lived out in court and none of it on my own terms.

After the trial, I was approached by various newspapers, journalists and lawyers. That almost broke me. People wanted to talk to me about the consequences of the decisions that had been made about me. If only they had shown such interest when the decisions were being made.

After the sheriff found my foster mother guilty, he stated that the conditions that I and the other young people described during evidence matched a Dickensian description of the life of deprived Victorian children. The care system and everyone involved in it told me that life with my birth parents was wrong, so I assumed that where I was being put would be right. Unfortunately, it was those Dickensian conditions that became my new reality.

At the age of seven, I was not able to articulate what was going on; indeed, at such a young age, I was not even able to identify that how I was being treated was unfair, never mind criminal. If I had had a relationship with someone whose only obligation was to me, perhaps matters would have turned out differently.

I was not a bad child. I did not ask for and did not deserve what happened. No one does. My belief at the time was that I was being treated in a particular way because of me—because of who I was and because of something that I was doing. The belief that I held was completely wrong. I was not a bad child and my social work records consistently describe me as being a young child who was eager to please everyone.

When I was around the age of six, my older sister told my twin and I that adoption plans were being put in place for us to be adopted alongside our younger sister; we were to be adopted together. I remember my twin and I running around the living room. I was ecstatic. I was going to get a real proper family, which was something I had never experienced. I was finally going to get things that I could say belonged to me: a home, a mum, a dad, a family. What I do not remember,

however, is being asked whether I wanted to be adopted or being given any choice.

The day that I had to say goodbye to my biological mother was the saddest day of my life so far. I still feel that pain when I talk about it today. Imagine being told that you are never going to see your mother again. Now imagine having no one to talk to about it. Imagine being told that it is now time to move on, because the decision has been made and that is that.

Unfortunately, contact with my other siblings did not continue either, despite all of us being promised that we would always get to see each other. That happened abruptly and we did not get to say goodbye to each other. It just stopped. No one asked what I wanted. We just did not get to see the others for what we thought would be forever. There was no one to make sure that I had a voice.

At times, life with my adoptive family was challenging and, unfortunately, I cannot offer the committee a happy ending. What we thought was going to be our forever family ended on the day of our 16th birthday when my twin and I woke up alone. The house might have been furnished, the water might have been hot and the cupboards might have been full, but we were still alone.

For my younger sister who was under the age of 16, another placement move was on the horizon. For my brother and I, our care journey ended with us sleeping by cycle paths and in railway stations. We were not entitled to support and we had no one to talk to about what was going to happen next. At that time, and more than ever, we could have used the person whom I spoke about earlier, whose only obligation would have been to me.

To this day, I struggle with trusting others and allowing others to be kind to me. I fear being let down, rejected and abandoned. I believe that that is because I have never had someone who has been continuously in my life, or who has shown me unconditional love, or even unconditional positive regard. Access to an advocate would have assisted me during my most challenging times, and it would have better placed me in my endeavour towards self-actualisation. For example, during my year at college and my four years at university, I had to work full-time to support myself. An advocate would have made me aware of the funding that I was entitled to. When I was anxious, worried and alone, an advocate would have been a confidential open ear, someone who I could trust, and whose only obligation would have been to me.

I thank you all for listening to me today. This is the first time I have ever spoken publicly about my care experience. Thank you. I feel very privileged

and honoured. I pass you on to my colleague, Caroline Richardson.

**Caroline Richardson (Who Cares? Scotland):**  
Thank you, Thomas. Good morning.

I am an advocacy and participation manager with Who Cares? Scotland. I am also a care leaver. I am here this morning to share with you my personal journey to demonstrate how outcomes for care leavers have not changed since I left care in 1989, the year in which the United Nations convention on the rights of the child was ratified in the United Kingdom.

10:30

Having worked as an advocate, I have had first-hand experience of amplifying the voices of young people in care, who are not at the heart of the decision-making processes. Let us never underestimate the number of decisions that are made on behalf of those young people before, during and after care.

I was taken into care at the age of four. No explanation was given as to why I could not live with my dad. I do not think that I would have understood at that age. Throughout my first period of care, my relationship with my family became strained; we became strangers.

I went back to live with my family at the age of 10, due to the children's home closing down. Things very quickly deteriorated within my family home. When I saw my social worker, I would often say how unhappy I was at home and that I felt I should return to care. Unfortunately, it took a serious incident to occur before I was returned to care. Very quickly, however, plans were put in place to rehabilitate me back at home. I returned once more to the family home, but things broke down.

When I returned to care, my confidence and self-esteem were low, which manifested itself in my behaviour. I started mixing with inappropriate peers and getting myself into trouble.

After not being listened to for so long, I eventually got support from my guidance teacher at school. She said that she would support me to get my point of view across. She advocated for me at meetings and helped people to listen to how I was feeling. Unfortunately, she moved to another job. Very quickly I started getting told, "The best place for you is back with your family." My advocacy support disappeared, because I had no right to it. I went home for the third time and things deteriorated to the point where, when I was taken into care for the last time, I lost contact with my family for several years.

Having experienced seven placement moves and three periods at home, I was finally moved to



foster carers at the age of 15. They provided me with a nurturing and stable environment and I thrived.

At the age of 17 I was encouraged by my social worker to move to my own tenancy. Being a teenager who thought she knew it all, I readily agreed, but I very quickly realised that it was a mistake. Once I was in my own tenancy, my case was closed by social work and I was on my own. I struggled, as I had no idea how to budget, how to pay bills or how to live appropriately within a community. I just remember that, having lived in group living for so long, I found the silence deafening. At that point, I felt embarrassed about my care experience and chose to move on with my life, keeping my past quiet.

The Children and Young People (Scotland) Act 2014 will at least enable care leavers now to get the support that they need when they need it.

It was only when I joined Who Cares? Scotland as an independent advocate that I realised that things for care leavers had not changed much since I left care. Despite major advances in legislation, policies and procedures, the young people still felt that they had no voice, they were not listened to and their outcomes were still very poor. Working as an advocate I was able to challenge that on an individual basis, but the majority of care-experience young people still do not have a voice.

During the evidence-giving process at this committee last year, I was in awe of care leavers such as Ashley Cameron, how they talked about their care journeys and experiences and how they were prepared to use those experiences to make things better for young people in the future. Then I realised that what they were doing was creating a movement of change. They instilled in me a sense of pride in my care experience, which is why I now have the confidence to share this with you today. It was through that process that care leavers who shared their stories contributed to the changes in support for care leavers up to the age of 26, which are now contained in the 2014 act. That will go a long way to improving outcomes for young people and care leavers in the future.

Thank you. I pass you over to my colleague Kevin Browne.

**Kevin Browne (Who Cares? Scotland):** Thank you, Caroline. Like the others, I am here today because I have care experience. I am also a graduate. I am a safeguarder. I have travelled the world. Like Caroline, I have worked as an advocate. In my earlier career, I spent four years working at the office of Scotland's Commissioner for Children and Young People. All that personal and professional experience has enabled me to

develop a deep understanding of children's rights and the issues that affect looked-after children.

I am the senior corporate parenting officer at Who Cares? Scotland. During the inquiry, I was responsible for engaging with and supporting young people to articulate, process and share their story with the committee. I was struck by how little children and young people understood about their life, why decisions had been made and their lack of involvement. I admired the way in which the committee listened to children and young people and how, in turn, that gave young people the courage and desire to share their stories with the hope of making a difference.

As it did Thomas Timlin, the process has inspired me. Behind my professional experience lies my care experience, which I have rarely spoken about in depth or in public. In many ways, I have worn a mask since I left care, because of the stigma and discrimination. The young people in the process of liberation helped me and others to remove those masks and claim our care identity. I must credit the committee with that, because it started the process.

As our young people did during the inquiry, I will share a little of my own experience and the significance of getting decisions right. Similar to the others, a decision was made to take me into care at the age of three. During my care journey, I was separated from my brothers and my sister, who was adopted and whom I did not see for 13 years. I experienced a number of foster placements, was moved between nine residential houses, went to four different primary schools and have been cared for by more than 100 workers.

Behind each of those moves, there was a decision. Those decisions changed, shaped and impacted on me, my brothers and my sister. I will share one of those decisions with you. Like myself, my two brothers were looked after from an early age and both had left care before they were 16. A decision was made to return them home and that, of course, broke down. At 16, they had little to no support, which resulted in both of them experiencing homelessness and isolation. My oldest brother, Paul Browne, experienced mental health issues and hanged himself at the age of 18. Five years later, my younger brother, Andrew Browne, overdosed on drugs at the age of 18. Two massive life-changing decisions were made five years apart, yet they had the same outcome in the form of my two brothers dying.

On the other hand, I left care at the age of 18. I fought to stay—I spoke out and made sure that I was heard. I was able to advocate for myself. A few months ago, I wrote a personal letter to Aileen Campbell, the Minister for Children and Young People, to thank her for the difference that I believe the provisions in the Children and Young

People (Scotland) Act 2014 will make and the added protection that the act should give young people in the form of continuing care. I did that because I know more than anyone else in the room what the real impact and consequences of poor decisions can be, whether it is about children remaining at home too long, them being sent back home or them having to leave care at a young age.

I do not know how I managed to become what people may describe as a successful care leaver, but I know that I had advocacy at a young age—from the age of nine. That is when I started to understand my rights and found my voice.

What challenges exist today? I still see, homeless and on the streets, people whom I grew up with. I have worked as an advocate with the children of people whom I lived with. I always ask myself: where was their voice? Did they have one?

Four weeks ago, I graduated from the University of Strathclyde, where I completed a degree in education and social services. My childhood and youth advocate—Ray McLean—was one of the people I invited to celebrate that alongside me. I also invited my younger brother's foster family—Marion and Ed Crangle—as well as Tony McDonald, who is a young person with care experience employed at Who Cares? Scotland, because I wanted him and other young people with care experience to know that they can go to university and achieve their ambitions, whatever they may be.

I thank the committee for the way in which it has listened to children and young people. I believe that the committee's independence is a massive strength.

My personal and professional view is that all young people should have a right to independent advocacy to ensure that their voice is heard in all decisions. I know that my two brothers would have benefited from that, as would the thousands of young people in Scotland who do not currently have that.

As an overall conclusion, members have heard from Ashley Cameron, Caroline Richardson, Thomas Timlin and me, and we all recommend the same. Young people need to be heard and to know that someone will be by their side when every single decision is being made, not just at the point of entering the care system. That someone must be separate from the systems and structures that govern the care system and truly independent. The consequences of good and bad decision making are clear. You and we know that.

We thank the committee for listening and for welcoming us back. We would be pleased to answer any questions that members may have.

**The Convener:** Thank you very much, Kevin.

On behalf of the committee, I thank everyone who has spoken. I know that doing so cannot have been easy, as the stories are difficult.

Before I bring in my colleagues, I want to ask a question about the process. The issue of the process was raised. Before we started the inquiry, we as a committee decided to take evidence in a slightly different fashion from how we normally would. Normally, we would call for evidence, bring people in front of the committee in a formal session such as this one, and everything would be recorded and written down, but we decided to do things slightly differently, as you will remember. As Ashley Cameron mentioned, we met you in the Who Cares? Scotland offices in Glasgow on a rather wet December day, if I remember rightly. From there, we tried to take you and us through a process that would maximise your ability to give us the maximum amount of information and input, and would allow us to get the maximum out of your evidence. We felt that that approach was different from the normal evidence-taking process.

How did the process go? It was the first time that the committee had taken that approach, and I do not think that any other committee has done things in that way before. What was good about the process? What was bad about it? What mistakes did we make? The committee wants to try to learn from the experience how we can best approach young people, particularly those who are vulnerable or in care, or who have difficult stories and experiences that can be traumatic for them to relay to people who are, in effect, a group of strangers. If you can, will you give us some of your thoughts on the process that we undertook so that we can learn from your views on how it went?

**Ashley Cameron:** As I said, one thing that I really loved about giving evidence was that you came into our space first and got to know us as people. A lot of other people may not take the time to do that; they may simply say, "Well, tell us and then we'll go away." The first point is that you came into our space rather than our coming to you. Obviously, sharing care experiences can be very daunting.

During the first evidence-giving session, it felt quite strange as a result of not really being sure about where it would go or what any of you would ultimately take away from it, but at the end, it felt very good to have that release.

As I said, that was our first time speaking about before-care experiences, so a lot of emotions were still quite raw, but overall the inquiry was very well done, in terms of the key points when things happened. Ultimately, it has confirmed that what we are doing is right, in that we are doing it to

change the bigger picture and not to change things for ourselves as individuals.

10:45

**The Convener:** Thank you. Does anyone else want to comment on the process?

**Kevin Browne:** As someone who was supporting the young people, I thought that the process was excellent, because we were able to use the relationships that we have with young people in the right way, to secure their interest in giving evidence and sharing their experiences with you for the purposes of the inquiry.

Something that came up during the process and in the analysis that we did afterwards, which is part of the learning from the process, was the astounding lack of life-story work that the majority of—if not all—the young people had done. We found that they had questions about their lives that had remained unanswered for years. In the evidence giving after the preparation sessions, we found that the young people were discovering things about themselves and finding out from other young people about their rights and what they could do when decisions were made. Some people had a complete lack of understanding of that.

The majority of the young people had not talked about their before-care experience. The learning for us is that professionals—social workers, foster carers and whoever is supporting a young person—need to do more life-story work with them. Some people had reached 18, 19 or 20 without understanding their life before care. We helped them with the process, but they also needed support as a result. That was a key learning point for us.

**The Convener:** Thank you very much for that. Colin Beattie has a question. Is it on the same issue, Colin, or are you moving on?

**Colin Beattie (Midlothian North and Musselburgh) (SNP):** It is on a different point.

**The Convener:** In that case I will bring in Mary Scanlon first.

**Mary Scanlon (Highlands and Islands) (Con):** I associate myself with the convener's comments. I was not able to hear all the evidence—I have been a member of the committee only since March—but I totally agree that if we do not listen to people who have experienced care we will never get it right. I thank everyone for giving evidence, which I appreciate was not easy.

The witnesses have been complimentary about the committee and we have the good Children and Young People (Scotland) Act 2014. I wonder whether we can take a step forward, because it

seems to me that the big challenge is implementation. I think that it was Kevin Browne who talked about the systems and structures that govern the care system; it is fair to say that they need to change.

The committee said in its report:

“While we spoke to a relatively small number of young people, these findings suggest that social workers must improve their communication skills.”

The report also mentioned the need for a “clearer fit” between children's hearings and other looked-after children's processes, which need to be explained to young people, and talked about delays in the children's hearings system—social work was criticised for delays in producing reports. The report mentioned the impact of constant changes of social worker, which the witnesses talked about today. I understand that the social work degree is changing so that prospective social workers are fully aware of such criticisms and can use them in a positive way to make changes.

I apologise if this question is being asked a bit too early. Do you feel confident that the 2014 act will bring about changes in the children's hearings system and social work? Have you seen anything so far that gives you hope that what you have talked about, which is now in an act of Parliament, will actually happen on the ground?

**Kevin Browne:** When we found out last Christmas about the provisions of the Children and Young People (Scotland) Bill and the extension of aftercare, I remember saying to Duncan Dunlop that there were plenty of provisions in the Children (Scotland) Act 1995 but that young people were and are still being failed under that existing legislation. I believe that systems and structures need to change and that this committee was successful because it was independent of the cultures and systems that have operated for years but which continuously produce poor outcomes for looked-after children.

We are working with the children's hearings system and the Scottish Children's Reporter Administration to improve their services and the functional aspects of hearings, but for me the problem is the culture. At the moment, young people are still homeless and people still use excuses such as lack of resources. I believe that not enough systems and cultures have been changed. I also believe, as I said earlier, that if a young person does not have someone alongside them whose only interest is the young person's welfare, the 2014 act will not produce any better outcomes than the 1995 act.

**Mary Scanlon:** May I ask a supplementary question on that point? I live in the Highland Council area and the council is ahead of the game but found it very difficult to get the kind of

advocate you described. Whether it is for those who are over 16 or those who are over 18, it is difficult to get such an advocate. Are you confident that more resources and training will go into advocacy? I think that you, Caroline Richardson, Ashley Cameron and Thomas Timlin all spoke about the one-to-one help and support that give you a voice. Is that happening?

**Kevin Browne:** To be honest I do not think that it is, because of the lack of resources that local authorities often talk about. Unless advocacy provision becomes a statutory right, I do not think that young people will get the advocacy that they need. In *Who Cares? Scotland*—

**Mary Scanlon:** I am sorry, but is there a duty to provide advocacy or is there a statutory right for each individual to have advocacy? There is a big difference between those two.

**Kevin Browne:** My understanding is that there is no duty or statutory right.

**Mary Scanlon:** There is no statutory right for someone to have an advocacy worker.

**Kevin Browne:** An independent advocacy worker. In some areas there is no advocacy provision and in other areas there may be one and a half workers. When I was an advocate, there was me and half a worker for 3,500 young people. Obviously, we did not work with all of them, but that was the number of young people who were looked after.

**Mary Scanlon:** So that is key to the success of the 2014 act.

**Kevin Browne:** I believe so.

**Mary Scanlon:** Do you feel that the changes in the SCRA and the children's hearings system—I appreciate that they are not all bedded in yet—are moving in the right direction and that there will be better partnership with social work? Is the culture changing?

**Kevin Browne:** From the professional perspective of working in partnership with those agencies, I believe that there is a desire for change. However, we can look at the fact that the majority of children's hearings take place between 9 and 5, when children are in school. We then have to ask whether it is the culture that needs to change, because hearings are still taking young people out of school, which has a massive impact and causes massive anxiety. The latest statistics show that such young people's education results have dipped again in terms of achieving positive destinations and so on.

There have been improvements, but they need to happen more widely.

**Mary Scanlon:** We need to keep an eye on those measures. Thank you.

**Thomas Timlin:** You said that you are from the Highlands. There was a pilot in the Highlands relating to the 2014 act. My understanding is that the act will put the getting it right for every child policy into statute. Within GIRFEC and the ecological framework of assessment, the young person's views are required to be taken into account. However, I believe that the pressures on social work practitioners at the moment hinder their ability to do that independently, especially when they are acting according to what they perceive or analyse as being in the young person's best interests.

Compared to the service that I received, what Ashley Cameron described was someone who based their practice on building a trusting relationship. When Ashley received provision from someone whose obligation was not only to their line manager, who was dividing resources—when it was Ashley who was directing her provision—it was only then that her needs were more accurately assessed and the appropriate intervention was implemented. That is why we believe that all young people in the care system in Scotland should have that universal right and a universal understanding of what advocacy is.

**Mary Scanlon:** I have been an MSP for the Highlands since 1999. In the past month, I have had a lot of people in who, when asked, have no idea who their named person is. I can work with a named person—I think that that is important. That is where I am coming from. We have a duty, as members of Parliament, to ensure that what is on paper is implemented.

**The Convener:** Still on the subject of advocacy, from memory, legislation states that young people's views must be taken into account but does not state how that must be done. That is the issue.

**Neil Bibby (West Scotland) (Lab):** I thank you all for your testimony this morning. You have all touched on advocacy. Should every young person have access to advocacy or should it be a specific group of young people? How would the advocacy role work? Would it be different from the role of a child's social worker?

**Thomas Timlin:** The role of an advocate is completely different from that of a social work practitioner. A social work practitioner has an obligation to work in the best interests of the young person, while an advocate is there to provide information and support, and to enable the young person to articulate their views. It adds an extra level of scrutiny on to practice and enables the young person to engage in processes that they tend to find quite difficult.

We have a world-leading children's hearings system. I genuinely believe that access to an

advocate would enable others to reach more positive outcomes. We are here representing young people with care experience. We believe that it is young people with care experience or those who engage with the hearings system who have that universal right.

It is similar for those who suffer from poor mental health. When they engage in legal processes, they have a universal right to access to an independent advocate. When young people in care go through similar legal processes, it is only right that that universal right be extended to them. Does that make sense?

**Neil Bibby:** Yes. I understand.

On the issue of looked-after children being heard, we have talked about what happened during committee consideration of the bill. As we move forward, how should local authorities and Government best listen to young people on policy issues more generally? I think that children's champions boards have been set up—they have certainly been set up in Renfrewshire. Does anyone have any comments on how effective such boards are? How should we best listen to the thousands of looked-after children?

**Ashley Cameron:** There are champions boards in local authorities throughout Scotland. We are happy to see that they are spreading far and wide. A champions board gives young people and professionals a chance to meet on common ground to discuss not only what is going wrong but what is going right. It is important that we identify both. In addition, the boards allow young people to get to know their corporate parents, who may represent them in many different forms.

From what I can gather from the champions groups, particularly the one in Dundee, there is very much a sense of belonging, of identity and of growth and development. That is encouraging, and I would encourage any other local authority in Scotland that has not tried the approach to give it a go. You won't know unless you try, as the saying goes. I am keen to promote the idea of champions boards.

11:00

**Caroline Richardson:** The champions boards—particularly the one in Dundee, for example—have been able to achieve something that a lot of care leavers say they lose when they are in the system, and that is to do with their sense of community and their identity within it. The champions board empowers young people to take ownership of their community. It can be that young people, for whatever reason, have not lived in their community for numerous years because of their care experience, but they come back and want to find their voice again and be an active citizen.

We talk about citizenship, but a lot of the time young people do not get to experience that, because they are moved from local authority to local authority and from placement to placement. For me, it was a question of trying to re-engage with a community and knowing how to do that appropriately. Things such as the champions boards give young people the opportunity to do that—to take ownership and be the active citizens that most other young people get the opportunity to be within their communities.

**Colin Beattie:** I add my personal thanks to you for sharing your stories with us. I am finding it very valuable.

We have been talking about advocacy. The evidence that we have taken and my experience outside that indicate that, increasingly, lawyers are becoming involved in children's hearings, mainly in support of parents' rights. To me, children's hearings were never intended to be a courtroom. If parents believe that they need a lawyer to support their rights and advocate for them, they are entitled to have one, but most people at the hearings are not trained lawyers. What has your experience been of that? What is your feeling about the involvement of lawyers? Does it disempower children at the hearings? How could it be changed?

**Caroline Richardson:** I will give you an example. One of the YPWs that I line manage—

**Duncan Dunlop:** An advocate.

**Caroline Richardson:** Sorry—I am getting into Who Cares? speak. The advocate attended a children's hearing four weeks ago that was quite contentious. The parents were no longer together and the young person had minimal contact with them, but the young person had to attend the hearing. He was there with his advocate, and the mum and the dad both turned up with lawyers.

Straight away, the young person became distressed and really quite upset and he asked the panel members whether he could speak to them by himself. We encourage young people to do that if they are feeling anxious and stressed in that environment. The two lawyers argued quite ferociously against it, to the point at which the reporter had to turn around and say that the young person was not allowed to give a view by himself with just the panel members. The young person ended up walking out because he could not deal with the dynamic of having all those people there and he could not understand why the parents had lawyers when this was supposed to be his meeting.

For me, that is an issue, and I think that it is going to get worse. We may find that the hearings system becomes more about the parents and less

about the young people, and that is very concerning.

**Colin Beattie:** That is clearly not the intention or the focus of what is trying to be done. The focus should be the young person. How do we deal with that? You might not have an answer to that, but I would be interested to hear your views, as you have experienced the care system. How can we manage that?

**Thomas Timlin:** It is about trying to put the young people at the centre and at the front of all the decisions that are made in their lives. When parents are represented by solicitors, the solicitors are directed by the parents and they are not at the hearing with the best interests of the child at heart. They are there to represent the best interests of their client. If people are entitled to legal representation, that is their legal entitlement, but if they are attending a children's hearing, I think that we need guidance from Government at all levels to remind people about whose hearing it is and how important it is. The only people who should attend a children's hearing are those who have a specific interest in the young person's wellbeing.

**Colin Beattie:** Would stronger guidelines from the Government to the children's hearings system help to manage the priorities in that respect?

**Caroline Richardson:** Yes.

**Colin Beattie:** After all, the priorities should be simple, should they not?

**Duncan Dunlop:** Perhaps I can highlight a number of general points. Culturally, we struggle to put the child and young person right at the centre of these processes. The Children's Hearings (Scotland) Act 2011 contains a number of great things and makes bold assertions that the process is really about children but, interestingly, as far as the issue of advocacy and representation to ensure that their voice is heard is concerned, the fact is that they do not necessarily have the right to have their voice heard. The other day, we had a case in which a child said that he wanted to move placements; we called a hearing, as was the child's right, but the social work department, which was determined to ensure that that was not going to happen, made it clear that it would attend the hearing and put across its point of view about why the child should remain where he was. The point is that the child did not know that he had the right to access advocacy services; as a result, he did not bother showing up at his hearing, and the hearing did not hear what the issues were for him.

If we as adults have an issue with our employer or domestic issues involving divorce or whatever, we are represented by someone to ensure that our voice is heard and our views articulated. However, we have not given these children that right. They face a number of big decisions, including, for

example, how often they meet their siblings after they are taken into care or if they are moving to another foster family or somewhere else. Even if the relationship with the birth parents is not so important, that sibling relationship really matters.

We know that these guys prepared for a day or two to come and speak to this big and very influential forum, which is probably not dissimilar to a children's hearing. That takes a lot of courage, and children who have far less experience and understanding of what they are going through just want to get in and get out again. They do not necessarily comprehend the implications of the decisions that can be made in the hearings process.

As the guys have mentioned, our biggest realisation has been that by talking about our care stories and care journeys with the committee, the Government and, to a greater degree, the public in general, we have been able to reclaim this care identity and make something that people can belong to. As has happened with issues of race, gender and sexuality, we are seeing the awakening of a movement that—by accident, perhaps—we have kicked off together but which has now grown arms and legs. More than 100 young people have now claimed their care identity, and more than 40 are now telling their care stories in a safe place and when the time has been right.

However, we have access to only about 15 per cent of the looked-after and care-experienced young people in this country. That is not for want of trying; a contract will only let us look at, say, young people in residential care in one area or give us seven hours in another. It is not that someone else is doing this work in those areas. Such services either do not exist or, at best, are supposed to be delivered by a children's rights worker. What we have learned is, "Wow! Look at the power and benefit that individuals get when we give them a voice and when they feel that they have been included. We need look only at what happened when that was not present.

According to the Government's estimates, we are spending £2.5 billion on the care system, but only about 0.1 to 0.15 per cent of that on ensuring that the child's voice is heard. What we have come to realise is that, as with the approach that has been taken to disability, mental health, self-directed support and so on, the care system works when we put the service user or the client—in this case, the child—at the centre of it. If they are at the centre and if we are able to hear how they, the experts, are experiencing things, we will be able to define the best service for them as individuals. When I asked one guy who is in care and is still having a tough time what he would change in the care system, he said, "Ah, but that's the problem. It's the care system, isn't it? I am an individual.

Why don't I have a system that suits me?" Why do Caroline Richardson, Ashley Cameron, Thomas Timlin and so on not have a system that suits them? It is just not there because we do not give young people that voice.

Some of the provisions on corporate parenting and the care system in the Children and Young People (Scotland) Act 2014 are great, but they relate only to the little bit about those who deliver care services. We need to find out where things are going right and have been really good for individuals and where things are not so hot. Let us hear that voice. We know that when we look at their behaviour we will say, "Oh! That child isn't doing very well. They are in the criminal justice system or the homelessness system. At best, they are not in a positive destination." How do we stop judging them on that behaviour and go right back and ask how they experienced care? It must feel like a rejection by society if young people think, "I was never heard; I do not get this; I do not fit in." A continued rejection means that, in the end, they do not necessarily have the skills to participate within the cultural norms that operate in society.

Giving young people a voice has been the most amazing thing to witness and to be part of. That realisation has led us to say, "Wow! What happens if we give a lot more young people a voice?" When they go through that difficult time, from when they start to be looked after at home or enter the hearings system, we can say, "You're okay—there are other people with you," and give them a sense of belonging.

Claiming the care identity is very new—it appeared only in the past few months. The sense of power and the positive force that have been given to young people is palpable. Claiming the care identity means that people can say, "That's okay. I don't need to be worried about that label." Indeed, Kevin Browne, who is in his early to mid-twenties, has said that he can take off the mask and say that he was in care. That is important.

I have been round the houses, but the other aspect that was mentioned was the looked-after children champions board. In Dundee, David Dorward, the chief executive and chair of the group that meets every quarter, says that it is the best meeting that he attends. He has anecdotal evidence that the board is making a significant impact on young people's educational outcomes in Dundee. The board has a voice. It can deal with individual case studies and make changes for individuals and it then says, "Right, this is our policy on how we will change it for others."

The attention that the Government has paid to the issue is great and this committee has been right at the centre. Next week, we are in front of the Equal Opportunities Committee and the Welfare Reform Committee. We have been before

the Health and Sport Committee and the Finance Committee. We need to connect all the elements of Government that are responsible for looked-after children.

Between 1 and 1.5 per cent of the young population are looked after. We know that 50 per cent of prisoners were in care and that 80 per cent of the young people who we are locking up in young offenders institutes were also in care, and that 30 per cent of those will become homeless, so why would we not focus on them? There is no fault with them; they are not wired wrong. An element of the inclusion report that I was disappointed with was the suggestion that problems are the result of their early years and that the scar tissue has carried on, but that we have done our best and that it is a shame in terms of what is considered to be success for care. The guys on the panel have claimed their identity and I am so proud of them for doing so. They did not do that by accident; it was due to their resilience and the people they have round them who have given them a voice.

What would work would be to say, "There is your voice. Let's connect up Government and policy. Let's make sure you have a voice and understand that there's something separate from your parents and the care system that is there for you." We would ask, "What do you want to happen? Do you understand what is happening?" and then explain that we are not part of this or that system but that we are here to help them to comprehend the whole process.

It is to your credit that you have opened our consciousness to this and you have given us the self-confidence to act. We now think that there is a way for us to identify what is going right and wrong here. That will be down to individuals. It is not the system that is broken; indeed, there will be great quality care here, and not such quality care and poor decisions there. We will go on a journey of discovery—that is what is so exciting about this.

**Colin Beattie:** To pick up on a couple of your points while referring back to some evidence that we received, are there too many organisations and people involved in the decision-making process? We took evidence from a large number of bodies, which were by no means all those involved. Given the experience that participants have shared, are too many people involved? How could the number be reduced?

**Thomas Timlin:** Legislation has a minimal intervention principle and practice is guided by that principle. However, it is everyone's responsibility to make sure that young people in care are okay. We should share that responsibility right across our communities and have as many people involved as possible. For example, children who stay at home will probably have numerous people involved in their life, including people involved in

whatever clubs they go to, people in their school and people in the community who they know.

I do not believe, either personally and professionally, that young people have too many people in their lives who are there to represent them or who have an obligation to them with regard to their wellbeing. The responsibility must be, as with GIRFEC, shared across the community. We are all of Scotland's young people; everyone should share in that responsibility.

11:15

**Caroline Richardson:** The issue is more about how the agencies are involved. For example, must we have young people sitting at a children's hearing with someone from the education and health services and someone from their local club? Must we have all the adults there? What about reports?

It is the same with looked-after reviews. Do we need the cast of thousands sitting around a young person who is in the middle feeling quite intimidated? Could people not just do something as simple as submitting a report? Thomas Timlin is right that it is good that GIRFEC is providing multi-agency support around a young person, but we need to look at how that support is given. Do people need to be physically present? Are there other creative ways of enabling young people to take ownership of their meetings and of not having all those adults physically there? That is the challenge. We have the building blocks. We need a multi-agency approach, but how we do that could be changed for the better. The young person could be more at the centre. They could, for example, choose who physically attends their meetings. We just need to be a wee bit more creative about how the young person has control of their meetings.

**Ashley Cameron:** I totally agree with Caroline Richardson. At the age of 13 or 14, having attended looked-after reviews, I remember that there was always this lady in the corner who never really spoke. I asked who she was and it turned out that she was the educational psychologist. I asked "What is she doing here? I don't see her." From that moment on, it was agreed that the educational psychologist would no longer attend my looked-after reviews because she had no relationship with me, she had no input and she would not come to see me at school so there was no reason at all for her to be there. I have to agree with Caroline. It is down to choice.

**Joan McAlpine (South Scotland) (SNP):** I have a question on the specific issue of children's hearings. When we took evidence from young people, one of the things that struck me was the question that they raised about whether it would

be possible for them to state what they wanted in advance of a hearing. In particular, they wanted to be able to say in advance if they did not want their parents to be present rather than having to say it in front of their parents.

The issue that Caroline Richardson raised about parents and lawyers is extremely concerning. The young people who I am talking about just wanted something to be put in place in advance. I know that the hearings system is being reviewed. Is there any indication that that will happen?

**Kevin Browne:** I think so, yes. As I said before, we are working with Children's Hearings Scotland and the SCRA and changes will happen. A questionnaire could be sent out that asks the young person who they would like to be at their hearing. It is about asking and identifying. There needs to be a process for the child to identify who they would like to support them at their hearing. Who do they have a relationship with? Who will be there for them? That does not happen at the moment.

The young people get a form called "all about me", which asks them if they like the food where they live and about other quite functional things. I do not think that it necessarily gets to the heart of why a young person is behaving in a certain way, what is going on in their life and what support they need. The process could be much more individualised. The young person should be able to identify the person who they have a relationship with to help and support them.

**Joan McAlpine:** I have another practical question. From what you and others have said about your experiences, it is apparent that the role of advocacy needs to be strengthened. Who are the best people to be advocates? I know people who work in the community as volunteer advocates. Do advocates need to be professional people or is it appropriate for them to be volunteers?

**Thomas Timlin:** Yes, they should be professionals. When you need someone to represent you at work, such as your union representative, it will be someone who knows about your work and is a professional. When we are asking for representation, we want it to be the best that it possibly can be. We need someone who is qualified to do it and who comes from the same value base that we come from so that we are represented as well as possible.

**Duncan Dunlop:** There is a whole debate going on about what advocacy actually is. We believe that the care-experienced young people in the system need relationship-based professional independent advocacy. I do not want to get into too much detail about this, but there needs to be a continuum of advocacy. If you want your foster



mum to be your advocate, that is great; however, there might well be a conflict of interest. The local authority, for example, might want to move you from that foster place and will therefore say, "Your foster carer cannot be your advocate."

As a result, we need a mechanism whereby someone who is independent can understand, interpret and deal with the processes and procedures of the children's hearing, who can explain what is going to happen and who, when it happens, can attend the hearing on the young person's terms. We think that, in general, that person should be more at the professional end of things.

We are looking far more at certain group approaches and, for example, peer-to-peer advocacy, which focuses on the youth work element, as that is where the young people tend to connect and hear about this or that. As Kevin Browne has pointed out, it was when the young people were preparing to give evidence to the committee that they suddenly realised that they could access care leavers grants and other things. We are looking at that really informal stuff but what we have found interesting—we are carrying out an intensive internal review about this—is that a young person might test us by saying, "I want to change the colour of my bedroom. Can you help make that happen?" If we can do that, they might well tell us what they want to happen at their hearing. If we manage to get that relationship and trust with them, they will ask us to come along to the hearing and help represent them and make their voice heard about their getting sibling contact or their not wanting to stay in a foster place with which they have big issues.

Resource-wise, we are not seeking to create an entire industry or profession around this. The approach is quite nuanced, but young people need access to it. We cannot have someone simply meeting them outside the hearing and saying, "I'm your advocate for the day," because, again, the young person has no relationship with that person. Young people ask, "What does 'advocacy' mean?", and you have to explain that advocates are not part of the social work or birth family system. They might feel that care is being done to them, and you must make it clear that, as an advocate, you are there just for them. It can take a bit of time for them to understand that. Given the intensity of the hearings process and the anxiety that can arise, you cannot meet them for the first time in the foyer outside the hearing. That meeting needs to happen well before then.

**Joan McAlpine:** You have said that you want a professional person to carry out this work, but, of course, there must also be a commitment to remain with the young person for a long time. After

all, one of the real issues is the lack of permanence in their contact with people.

**Duncan Dunlop:** We cannot simply assume that someone will stick with a young person for ever, although obviously we hope that they will; indeed, Mary Bateman, who was with Ashley Cameron more than 10 years ago, is still with us and is still an advocate in the process. What we do, therefore, is to try to give the young person a relationship with Who Cares? Scotland. Their care journey will end and they will transition and move on to something else. However, whereas young people's relationship with Who Cares? Scotland used to end when they were 25, with the support of the Life Changes Trust and others we are looking at extending that.

Our idea is that when a young person enters the care system, they can become a member of Who Cares? Scotland. It will be their organisation; they will be a member of it; and, unless they want to, they do not have to leave it until they die. They can be in their 80s or they can be wherever they want, but they will always belong to Who Cares? Scotland. Their care experience will define them as having the right to belong to something for ever, and that relationship will be based on connecting with other guys. At the moment, we are doing a lot about connecting young people who have just been in care; after all, we need to remove labels and the stigma of being judged, and the young people find the space that we provide a really relaxing place in which that can happen.

If they want, people can go public, champion these issues and tell their stories in places like this; they can say, "I'm a member of that organisation. I know what others are doing, and I'm really chuffed about what is happening"; or they can simply say, "I've got a relationship with an advocate." Our approach is just a wee bit more nuanced. At the moment, the services are all focused on how we fix these young people instead of going at their pace on their journey. We are clear that we will never deliver a care service; we will not be opening supported accommodation in Leith or somewhere, because then we would be delivering a service for which young people might need advocacy. These young people need to belong to something, which is why the care identity that has been introduced as a result of this work is so key.

**Jayne Baxter (Mid Scotland and Fife) (Lab):** I thank everyone for their contributions, some of which it has been quite humbling to listen to.

I want to ask about advocacy. In my role as an MSP, I meet young constituents. Sometimes they have an advocate with them and sometimes they do not. Thomas Timlin talked about how having an advocate changes the nature of the engagement. I have certainly had experience of that—if a young

person is accompanied by an advocate, it does change the engagement. I cannot quite say how or why it changes things, but I know that it does. Therefore, I think that advocacy is a good thing.

How can we deliver advocacy? It seems to me that it is a bit of a lottery—sometimes a young person has an advocate and sometimes they do not. That makes me wonder how the system works and how young people get an advocate. I do not know. I completely accept that any advocate should be independent. Should Who Cares? Scotland play a lead role? How do we get consistent standards and make access to advocacy more consistent across the country? How do we provide leadership in taking that forward?

**Duncan Dunlop:** This is an area in which there is a conflict between our role in speaking for young people and what we do from an organisational perspective. Our major issue is that we are conflicted when it comes to our independence because, when we provide advocacy, we have to have a contract with the local authority. Some local authorities just choose not to have such contracts with anyone, but if a local authority commissions an organisation such as ours to deliver advocacy and to speak up for a young person who is under their care, that is already a problem. If a significant issue arose, we would potentially be conflicted.

Ideally, advocacy ought to be commissioned nationally. That came out in Wales the other week, when the Children's Commissioner for Wales talked about the lack of advocacy provision there. Who Cares? Scotland believes that advocacy ought to be commissioned in each local authority area, but by the Government. That would be a way of holding the care system to account and giving voice to those young people who are cared for by local authorities. The advocacy that is provided needs to be independent structurally and in governance terms from the local authority. Only then can it have true independence. That way, we would have more consistency of provision.

Our vision is that when a young person enters care, they will be introduced to their advocacy worker. It will be made clear that they are part of a different community, but people will be there with them with whom they can share their experiences. There is that element. We believe that there needs to be nationally commissioned advocacy that operates at a local level and we are totally committed to that, because it will give true independence and will ensure that far better-quality information is provided to help Parliament and the Government to hold local authorities and other corporate parents to account.

**Clare Adamson (Central Scotland) (SNP):** I thank the witnesses. I think that it was Thomas

Timlin who said that it was a privilege and an honour to be here. Throughout this whole process, it has been a privilege and an honour for me to work with the people at Who Cares? Scotland. Thank you for once again informing our process.

As part of our inquiry, we looked at decisions about permanence. Are you seeing any changes in how long it takes for young people to get a permanent placement? Is the system, as you have called it, taking on board the inquiry's recommendations in that area?

**Caroline Richardson:** I think that the position still varies quite a bit across the country. Some local authorities are making a real commitment to speed up the process, to engage more with the young people and to include them in the process. We have certainly had an increase in referrals and requests for our advocates to support young people and to ensure that, throughout the process, their views are shared every step of the way, but it is still very much a lottery across the country.

Some of our advocates have cases in which the permanence process is still continuing in the 11th or 12th month. There could be various reasons why it is taking so long, but the result is that the young person has been promised the forever, family-type placement but, 12 months down the line, they still do not have it. I cannot pinpoint whether there is a specific reason for that part of the process going on for such long periods, although there are areas in which the situation is improving a lot.

For me, the key is to have the young person engaged and involved in the process right from the start. On many occasions, our advocates will take that journey with the young person and it becomes an extremely positive thing for them, but there are scenarios in which we try to advocate for young people who say, "I've been waiting 12 months for this." We are seeing some improvements, but there is still a bit of a way to go.

**The Convener:** I have a final question before we move on.

The committee held its inquiry—in fact, there were two inquiries, which, in effect, became one—and then we had the Children and Young People (Scotland) Bill, which is now an act of Parliament. I suspect that it is very early days to come to a conclusion on all of that work, but do you have hope that that work and the Children and Young People (Scotland) Act 2014 are taking the system in the right direction?

11:30

**Ashley Cameron:** I would like to think so. I really hope that, after all the work that has been put in, we see something concrete coming out of it

and the changes that ultimately need to happen, otherwise we will be sitting here in another 10 years talking about exactly the same things.

I have very high hopes of the 2014 act. Kevin Browne spoke about his two brothers who, unfortunately, died due to not having support. I hope that we will see a drastic improvement in the situation, because our young people need to be supported; they cannot just be left to disappear or to end up in tragic circumstances that they cannot pull themselves back out of. I have extremely high hopes of the act and hope that, in a year's time, when universities offer their social policy courses, we will perhaps hear about some work of the act. That is my view.

**Caroline Richardson:** I agree with Ashley Cameron. My story certainly demonstrated the support for care leavers. That was 24 years ago, and nothing has changed. The act allows corporate parents to think out of the box and to be a wee bit more creative. I know that people are worried about the impact that it will have and whether there will be 18 and 19-year-olds in children's houses. That is the kind of thing that I hear in various local authorities now, but I do not think that that will be the case. If an 18 or 19-year-old were asked, I do not think that they would say that they want to be in a children's house.

The act will potentially enable 18, 19 and 20-year-olds to have continuity of relationships. If many young people whom I have worked with over the years were asked what the positive parts of being in care were, they would say, for example, "Well, I had this key worker called Jo, and I had a brilliant relationship with her. She was absolutely fabulous, and if it wisnae for her, I would not have got this, this and this, but she wisnae allowed to work with me any more when I left the children's unit." The act allows the Jos and other very dedicated workers who build relationships with young people in residential establishments to perhaps continue them beyond that. To me, it is about innovation and people thinking out of the box, but more important, it is about care leavers being able to say, "This is the kind of support that I want," and to have it tailored to their individual needs.

**Kevin Browne:** I share the views of Ashley Cameron and Caroline Richardson and the act's hope and aspirations.

There are currently challenges. We work with young people who have to fight for everything; they have to fight to get money to paint their flat, get a bed and get a microwave. Challenges will come with the act. I hope that local authorities, decision makers and other people see it as a positive and that it will help young people to not have to fight for so much. With the entitlement increase, I hope that there will be a change in the

culture and that, instead of seeing young people as statistics or numbers in reports, people will get to know them, get to understand the real issues that they face, and implement the act with, not for, them.

**The Convener:** Or even to them.

**Thomas Timlin:** I echo my colleagues' sentiments. As a qualified practitioner, I perceive the 2014 act to be extremely empowering, and I think that it is the beginning of putting young people at the centre and forefront of service delivery in general. The ability to stay in a care placement and being encouraged to stay in it until they are ready to move on and do the transition into independent living could be literally life saving to someone. I hope that we will begin to see more of Scotland's young people achieving positive outcomes.

I am one of seven. Not all my siblings have managed to achieve positive outcomes. I would like to see more people being empowered to do the same as me.

**Duncan Dunlop:** The passing of the bill was a really positive moment. I remember sitting through several hours of debate in the Parliament chamber on 19 February when the bill was passed. The one issue on which there was not a pinhead of difference across the political parties—this really said it for us—was the issue of raising the age of leaving care, on which all the parties said they had listened to the young person's voice. That was it, for me. We have lived with this issue for generations with poor outcomes for children on whom we actually spend a huge amount of money. Finally, there seemed to a sense of "Ah! This is what we've heard from them. Here is a solution: we look after them for longer. We're aiming to get them in long-term trusting and loving stable relationships. That is the key. How do we make sure they're within that?"

There are big challenges in that. What is the culture? Is it about how I can get away with implementing what comes out in guidance? Is it about changing the term "homeless accommodation" to "supported accommodation"? That will not work. Some of that stuff might happen, so we need to be right on top of it in terms of scrutinising how things are implemented.

There are big challenges for which none of us has come up with the answer yet. How do we do return to care, for example? The intention is there but we do not have the blueprint. That needs to be followed through because, to a degree, those who return to care are the most vulnerable. They leave at 16 thinking, "Yeah, I can conquer the world," but realise two or three months later, "I can't, but I can't get back in because my bed's gone in that unit."

There are huge challenges, therefore, but for me what is really worth knowing is that we have had people from Scandinavia to New Zealand looking at what has happened around care identity and saying “You’ve lifted the lid on something there and we can’t put it back on; it’s such a positive force. How have you done that? You’re embracing a care identity.”

Along with parliamentarians getting the issue and understanding that there might be a solution, I was so chuffed to see what these guys beside me did—it was a real credit to them. I am so proud of how they told their stories and took ownership of that, because they go to places that not many of us would ever talk about. They told their stories and helped us to understand their lives so that we could make better changes. What we really want is people to stop judging their behaviour and to respond to it by saying “Ah! We got something wrong there. How do we get it right?”

So, there is great optimism about the 2014 act, but we are going to have to keep our eyes on it.

**The Convener:** That is a good way of summing up. The committee has made a commitment to do what you suggest, although I hope that we will do slightly more than just keep an eye on the act. I think that we have in mind the same outcome, and I am sure that the witnesses and the committee will carry on working towards that shared outcome. There will be many challenges ahead, but I hope that we face them with some optimism.

On behalf of the committee, I thank you for coming along this morning and giving your evidence. Next week, we will take evidence from Scottish Government officials on the progress made on the inquiry to date.

I ask the witness panel and committee members to stay in place for a few minutes after the meeting is closed.

*Meeting closed at 11:37.*

Members who would like a printed copy of the *Official Report* to be forwarded to them should give notice to SPICe.

---

Available in e-format only. Printed Scottish Parliament documentation is published in Edinburgh by APS Group Scotland.

All documents are available on  
the Scottish Parliament website at:

[www.scottish.parliament.uk](http://www.scottish.parliament.uk)

For details of documents available to  
order in hard copy format, please contact:  
APS Scottish Parliament Publications on 0131 629 9941.

For information on the Scottish Parliament contact  
Public Information on:

Telephone: 0131 348 5000  
Textphone: 0800 092 7100  
Email: [sp.info@scottish.parliament.uk](mailto:sp.info@scottish.parliament.uk)

e-format first available  
ISBN 978-1-78457-804-6

Revised e-format available  
ISBN 978-1-78457-815-2