

## Children and young people in care until age 26: A must for improved outcomes

Duncan Dunlop

### Abstract

---

Care Leavers have the worst outcomes in our society across most social well-being indicators. This is even more shocking as they are as physically and mentally capable as any other Scot. The Children and Young People Bill<sup>1</sup> is an opportunity that can set the legislative framework to address these disparities in outcomes. Towards this end Who Cares? Scotland is leading a campaign to continue to care for our Looked After population until they are 26. The prerequisite for this is that stable loving relationships, which are available for as long as is necessary are the best support for enabling young people to thrive in adulthood. All too often young people are leaving care and supportive trusting relationships too early without the option of staying with or returning to the support those relationships give them. This article explores this fundamental shift in how we perceive and deliver after care more detail.

**Key Words:** Continuing care, care leavers, relationships, love

Who Cares? Scotland is 35 years young this year, and the life chances for people with care experience still remains stubbornly poor. Who Cares? Scotland has changed the lives of individuals, but we are still advocating for the same issues for generation after generation of their younger care siblings. The challenge remains to learn from this cohort of children in care, to create a care system that gives them the same life chances as their non-looked after peers. The Children and Young People's Bill that is passing through the Scottish Parliament in 2013 and 2014 is a once in a decade opportunity to make significant strides towards removing many of the structural discriminatory barriers that impede the development of people with care experience. It will take cross-party political and sector-wide vision, courage and an ability to work for the common-good and not vested self-interests.

There are 16,248 looked after children and young people in Scotland<sup>2</sup>. The number of looked after children who leave care and enter and sustain a positive destination (i.e. in education, employment or training) is much lower when compared to their non-looked after peers. During 2010/11, only 64% of looked after children who left school were in a positive destination<sup>3</sup> compared with 89% of all school leavers. Six months after entering their positive destination, this percentage dropped to 55% for looked after children - so

---

<sup>1</sup> Children and Young People (Scotland) Bill (2013) - <http://www.scottish.parliament.uk/parliamentarybusiness/Bills/62233.aspx>

<sup>2</sup> As of July 2012 - High level summary of statistics, <http://www.scotland.gov.uk/Topics/Statistics/Browse/Children/TrendLookedAfter>

<sup>3</sup> Initial destination survey - <http://www.scotland.gov.uk/Topics/Statistics/Browse/Children/PubChildrenSocialWork/ChildrensSocialWorkStatistics2011-12AdditionalTabl>

sustaining their positive destination is an issue.<sup>4</sup> Around 45% of care leavers aged between five and 17 years of age were assessed as having a mental disorder.<sup>5</sup> Those aged five to ten who were looked after at home or accommodated were six times more likely to have a mental disorder than those children living with families in the community (52% compared with 8%). It is estimated that around 50% of Scottish prisoners have been in care and 80% of young offenders in Polmont prison are estimated to be from a care background.<sup>6</sup> The Scottish Government holds a vision that Scotland should be the ‘best place in the world to grow up’. However, with these frankly shocking statistics, it is difficult to see how this could be the case without radical change and intervention at the earliest possible moment.

Who Cares? Scotland believes the Children & Young People’s Bill can provide legislation that will set the framework to give care experienced young people the same life chances as their peers. Research that Who Cares? Scotland undertook in 2012 and 2013 demonstrated that young people were not cared for long enough within long-term stable, loving relationships. This is one of the biggest irregularities in how we care for children - we don’t do it for long enough.

Young people these days are leaving home at a later age than in previous generations. They may stay in the family home until they have secured a job and a flat; they may even have financial help from their parents and/or family members to help them on their way. Conversely, young people in care often leave their care placements at 17 with little to no chance of returning to care when they leave. They are frequently moved around from care placement to care placement, severing the important relationships and bonds they have formed. The inevitable result of this fragmented life is poor educational, health, and employment outcomes, with many presenting as homeless after they leave care. These two radically different situations are something that we have to own up to and redress in order to fulfil the ambition of making Scotland the ‘best place in the world to grow up’.

Looked after children and young people are some of the most marginalised, socially disempowered and stigmatised in Scotland. They are likely to have experienced an array of social disadvantage prior to coming into care, which unfortunately can then be compounded by their care experience. At 16, most young people in care need to go on a journey which most parents would never want for their own children. Not only are they forced to say good-bye to the placement which they called home for however many years, but they also have to say good-bye to the people in their lives with whom they have built up relationships. For most young people who leave care, this is the biggest trauma of all. Unlike most other young people, they are not afforded the option of ‘going back home’ once the care home door shuts; it stays shut and there is no looking back for Scotland’s care leavers.

Young people at 16 (and in some cases 18) are expected to be able to take care of themselves. Yes there are organisations and professionals offering help and support; yes

---

<sup>4</sup> The health and needs of looked after and accommodated children and young people - <http://www.scotland.gov.uk/Publications/2006/06/07103730/4>

<sup>5</sup> Meltzer (2004) as referenced by the Scottish Government (2006) accessed directly via <http://www.scotland.gov.uk/Publications/2006/06/07103730/4>

<sup>6</sup> HM Chief Inspector of Prisons for Scotland (2009) Annual Report, 2008-09, Edinburgh: The Scottish Government

there is welfare support they can access; yes they can access education and employment opportunities; yes they can access housing and yes they can dream, and look forward to their future in the same way as other young people. However without someone by their side who they know and trust, guiding them through thick and thin, pointing them in the right direction and helping to get them back on track when they take a wrong turn, then the chances are these young people won't even know where to start in planning for their future. Resilience alone won't help them achieve this and the thought of having to do it alone or with people who are 'new' to them is probably the most daunting of all.

Who Cares? Scotland has a vision of a Scotland where all young people from care are understood, believed in and given every opportunity to thrive. We as a nation must stand up for care leavers and ensure they reach their potential. The Children and Young People (Scotland) Bill 2013 is one way in which we can try and alter the landscape in Scotland for care leavers and make Scotland 'the best place in the world to grow up'. This is in accordance with the 15 National Outcomes, which describe the Government's ambitions over the next ten years. The Government believes that if these outcomes are achieved, then Scotland will be 'a better place to live and a more prosperous and successful country'.

- Who Cares? Scotland wants aftercare to be available to all those who need it - we support raising the age up to which a young person can ask to continue to be cared for to 26.
- We want the eligibility parameters for those who can ask to continue to be cared for widened, to cover children who have spent several years in care.
- We believe that a young person should be able to return to care until at least age 18.
- We think corporate parents should have a duty to maintain relationships they make with young people when they leave care, akin to what happens in the majority of non-looked after households.

If these amendments are passed then it sets the legislative framework to which the care sector will have to respond. At a structural level it will lay down a challenge and set the expectation that there is a determination to address the poor outcomes of a child or young person in care. Services would need to be reformed, and in neighbourhoods across the country Scots will need to be engaged in understanding that children in care are their children too, and they have a role to play in improving children's well-being.

Looked after children often do not trust those around them and many struggle to make meaningful relationships with peers and adults. A key issue for care leavers is the lack of continuity in the relationships they have developed in care when they leave care. Contact is the number one issue in our database that our young person workers advocate for on behalf of young people. This data indicates that the main issues children and young people in care have is with the relationships they hold with other people, be it with their family, family members, friends, previous key workers, their own children, or their family pet. Relationships matter to these young people, and to allow them to transition from their teenage years to becoming a young adult successfully, it is important that the relationships they value and trust and which took time to get to that point are not taken from them at the age of 16 or 18 so abruptly. For some of these young people, family

members may be part of the reason that they have come into care, so it should not be taken for granted that such relationships are altruistic or in some cases constructive. However difficult it may be, most young people want to have a relationship with their birth family, and we must do our best to accommodate this.

The relationships made in care can be strengthened and sustained through allowing a young person to stay in care until 26 should they so wish. Not every young person will want to stay in a care setting until 26, and indeed some might not need to. However, should a 16 year old want to leave care, and then return to care at 18, they should be allowed that opportunity.

Often young people have difficult and fraught relationships with carers or other professionals. It is important therefore that they have at least one adult they trust and can go to for support when required, and who will be around for the whole of the young person's childhood and early adulthood. This is why we would like the responsibilities of corporate parents to be extended to include a duty to sustain their relationships with the children and young people in their care, to ensure they can be used to access support, guidance and services, as dictated by the young person, up to 26. Parenting is fundamentally about providing the safe, nurturing care a child needs to grow to his or her full potential. Extending the care leaving age to 26 will ensure some continuity in their important relationships.

As a nation we must listen to our young people in care and influence change on a national level. Our young person workers advocate on behalf of Scotland's children and young people in care. Our YPWs talk to them, find out their concerns and make sure their voice is heard in the solutions that are implemented. Through this advocacy work, we understand the problems young people face. We also engage them through participation groups, where they have fun and share experiences with other young people in care. This informal setting gives access to rich opinions on the issues they want addressed. This valuable information then leads directly into our influencing work, through which Who Cares? Scotland lobbies for change in policies, practices and attitudes stretching from neighbourhoods to local and national government.

Tony MacDonald, a care leaver and ex-prisoner, is a corporate parent assistant with WCS. His experiences underline the importance of relationships and love in a young person's life.

*My behaviours were off the scale until I was aged 23. That's nine years. Nine years of chaos; of alcohol and drug abuse. I have been in and out of prisons and hospitals due to my offending and mental health issues. I was so lost I didn't know what was happening in my life. I eventually hit rock bottom and went into a rehab centre. They taught me something special when I went in there. My key-worker told me she would love and care for me until I can love and care for myself. She told me that the staff were my crutches and if I were to fall they would catch me. I had never been told that in my life. If I had I got this type of love and affection in care it would have made a massive difference to me.*

Statements like this from Tony underline the invaluable significance a lasting relationship can have on a young person from care.

Staying in care until 26 will help change some of the appalling outcomes care leavers face. These outcomes have been previously reported in the Scottish Parliament's Education and Culture Committee's report on educational attainment of looked after children<sup>7</sup> and the report on decision making on whether to take children into care<sup>8</sup>. In both reports, the Committee stated that the Scottish Government must: 'consider the particular needs of looked after children.' It is clear from these inquiries that further work is required to improve outcomes for looked after children. Early intervention and sustainable relationships are key factors in improving outcomes for looked after children. It is pertinent that the Committee is analysing the Children and Young People's Bill as it passes through Parliament.

The Education and Culture Committee in its stage 1 report on the Bill has invited the Scottish Government to respond to Who Cares? Scotland's demands: that the Bill should include a right for care leavers to return to care up to age 26; should allow young people who have spent time in care, but are not in care at school leaving age, to be eligible for aftercare; and should include a mechanism enabling care leavers to appeal against decisions taken about the level of care they receive. If these considerations are addressed, we will be one step closer to Scotland being the 'best place in the world to grow up'.

The changes Who Cares? Scotland calls for would make Scotland a global leader in care for young people. We must ask ourselves why outcomes are so poor; for anyone in our country to be denied good outcomes in life means we have failed as a nation to look after the most vulnerable in society. The Children and Young Persons (Scotland) Bill is only one way in which we can change the lives of Scotland's young care leavers. We must do more as a nation to look after our children; they are after all 'our bairns' and we have a moral duty to take care of them, to guard them, to oversee their futures, and ensure they have the best start in life and achieve their potential. Together, we can truly make Scotland the 'best place in the world to grow up', for all children.

For up-to-date information on Who Cares? Scotland's policy position, accepted amendments in the Bill and campaigns please see. [www.whocaresscotland.org](http://www.whocaresscotland.org)

---

<sup>7</sup> Scottish Parliament's Education and Culture Committee's report on educational attainment of looked after children (2012) -

<http://www.scottish.parliament.uk/parliamentarybusiness/CurrentCommittees/41975.aspx>

<sup>8</sup> 10th Report, 2013 (Session 4): Report on decision making on whether to take children into care - <http://www.scottish.parliament.uk/parliamentarybusiness/CurrentCommittees/67750.aspx>