

SWEET 16?



Scotland's
Commissioner
for Children and
Young People

Update: January 2009

THE AGE OF LEAVING CARE IN SCOTLAND

In March 2008, Scotland's Commissioner for Children and Young People (SCCYP) published a report on the age of leaving care. It was called *Sweet 16?* and it showed that there is a strong culture in Scotland that identifies 16 as the age for leaving care. This is wrong. Law and policy both say that young people should be able to stay in till 18. This newsletter aims to give an update on what has happened since the report was laid before the Scottish Parliament. SCCYP also wants feedback on what difference the report has made and what problems remain.



SPREADING THE WORD

SCCYP has distributed:

- 1500 copies of the full *Sweet 16?* Report
- 2000 versions of the Young People's version
- 1000 copies of the Summary Report
- 5000 copies of the *Think B4 You Move* leaflet on young people's rights

Please contact us for more copies. The full report and the *Think B4 You Move* leaflet are also available on our website.

PARLIAMENT DEBATE

MSP Karen Whitefield secured a Parliament debate on the *Sweet 16?* report. This took place on 25 June 2008. SCCYP staff and young people from our groups went along to listen to the debate, as did workers and young people from other organisations. MSPs from all parties spoke in favour of the report. There was a lot of comment about the use of bed & breakfast establishments for care leavers, and about the expectations we have of young care leavers as compared with other young people.

Adam Ingram, Minister for Children and Early Years, said, "members may rest assured that I will give the matter my full attention, particularly when I meet local authority representatives."

The full debate can be accessed on the Scottish parliament website at:

<http://www.scottish.parliament.uk/business/officialReports/meetingsParliament/or-08/sor0625-01.htm>

COMING BACK THROUGH SECTION 25

Section 25 of the Children (Scotland) Act 1995 says local authorities must take young people into care in certain circumstances. This duty applies to anyone under 18. It could be used to help young people get back into care if they have left too early. Check it out, or contact SCCYP if you want to know more.

YOU DON'T BECOME AN ADULT AT 16

Some people think that young people in Scotland are legally adults at 16. This is not true. Some things change at 16 and young people get some more rights, but they are not legally adult till 18.

GOVERNMENT RESPONSE

The Government sent SCCYP a letter on 3 October 2008 setting out its response to the 23 recommendations in the *Sweet 16?* report.

They said:

Work was underway to address Recommendations 1, 3, 4, 9, 10, 12, 13 and 19; partially address Recommendations 2 and 18; and reinforce Recommendations 5, 6 and 8.

Research was being undertaken on Recommendation 7; they will take action on Recommendations 11, 16 and 17; [limited] action is underway on Recommendation 14;

There are no plans for action on Recommendation 15.

They will discuss recommendations 20-23 with CnES (Western Isles Council).

SCCYP is still continuing discussions about what more progress the Scottish Government can make to ensure that young people are not pushed out of care at 16.

SWEET 16? RECOMMENDATIONS

You can read these in the report on the website. These are what they are about:

- 1 Statistics
- 2 Information on out of area placements
- 3 Culture change
- 4 Information about rights
- 5 Professional language and practice
- 6 Consulting young people on rules
- 7 Semi-independent living units
- 8 Responding to challenging behaviour
- 9 Foster care after 18
- 10 Residential schools
- 11 Housing – duty to co-operate
- 12 Training for housing officers
- 13 Being made homeless
- 14 Use of B&Bs
- 15 Use of homeless hostels
- 16 Coming back for short periods
- 17 Child protection barriers to coming back
- 18 Threshold for aftercare + panel member training
- 19 Data collection on Pathways
- 20 Western Isles – examine numbers leaving before 16
- 21 Western Isles – elected members to monitor B&B etc
- 22 Western Isles – written policies
- 23 Western Isles – service level agreements

HAVE THINGS CHANGED?...

SCCYP is contacting local authorities to find out what they have done to implement the recommendations of the *Sweet 16?* report. But we need to hear from workers who have direct experience of working with young people who are being asked to leave care.

We have learned informally of how some people have used the report: to advocate for young people; to challenge funding cuts; to change local policies; to train workers, using the case studies in the report. But we would like more information that will help us know what difference it is making, and also more importantly, what more needs to be done.

...WE WOULD LIKE TO KNOW

Please get in touch if SCCYP's report has helped you to make a difference for young people – or for yourself if you are a care leaver. Did it help or not? What else would help?

We want to publish an update on 25 March 2009 to show what has happened in the year since the report was published, so it would help if you could tell us by the end of February. Your contribution will keep the issues raised in *Sweet 16?* alive, to continue the work that is being done and to highlight where there are still gaps.

We know that this is a very short time period, but if you could take the time to email or phone us before then, it would be very much appreciated.

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