

Who Cares? Scotland

Advocacy Matters:

A summary of care experienced young people's views



Section 122 of the Children's Hearings (Scotland) Act 2011 [the Act] sets out a requirement for the chairing member of a Children's Hearing to inform the child or young person of the availability of advocacy. The **enactment of this part of the Act was delayed to allow the Scottish Government to understand the current extent of advocacy provision** and the need for it in the lives of care experienced young people.

In 2014 the Scottish Government began the process of developing their knowledge of advocacy provision by commissioning three Action Research projects in order to explore the current arrangements for advocacy support, as well as seeking an understanding of children and young people's current experiences. Who Cares? Scotland was involved in this and our research focused on care experienced children and young people's understanding and experience of advocacy. A summary of the findings is as follows:

Knowledge of Advocacy

1. For many care experienced children and young people, the word 'advocacy' can hinder their recognition of the provision. Unless explained in a clear and consistent manner, the term can be difficult for some to associate with the relationship based service they have accessed.
2. Many care experienced children and young people find the concept of advocacy confusing and often understand what their worker does for them in a personal way, rather than understanding the concept as a service.
3. Some young people, in particular those who have received advocacy, believe that advocacy does more for them than in reality. For example, many believe the service to have traits of befriending or mentoring, when in fact advocacy is distinct from both. It is likely that this is due to the existence of a strong relationship between the advocate and young person.
4. Care experienced young people with experience of advocacy understand that it is not about changing decisions made or ensuring they get what they want; rather they recognise that advocacy ensures they can effectively participate and influence their care experience with their own views.

Awareness of Advocacy

5. Most young people we spoke to believed they had never discussed advocacy with their social worker. It may be that some have actually discussed it with their social worker, however the timing, frequency of offer or information supplied was not enough to help the young person understand the concept and what it can do for them.
6. Care experienced young people recognise that during their care journey, they can often receive too much information at the one time. This can result in confusion or lack of understanding about what advocacy is and how it can help them.

7. Care experienced young people believe that the timing of introducing advocacy to a young person is important. Many young people believed that they had heard about advocacy too late in their care journey.
8. Care experienced young people without experience of advocacy are often aware of it through peers, but do not hold information about how or why they should access it.

Experience of Advocacy

9. Of those care experienced young people who have had advocacy, 92% believe that it helped them.
10. Young people suggested that having advocacy allows them to more effectively participate in formal meetings and feel in control of their care journey.
11. 76% of care experienced young people who have not experienced advocacy would or would have liked to hear more about it after reading a short description.
12. Those without experience of advocacy felt a range of barriers to engaging in their care journey including lacking in confidence and feeling like they come secondary to adults.
13. Most young people without experience of advocacy believe there are no associated disadvantages. Those that did think there were some disadvantages generally became aware of advocacy through a friend, rather than having experienced it directly.

Promotion of Advocacy

14. Although young people perceive the word 'advocacy' to be confusing, it was suggested that instead of avoiding the word, it should be articulated more clearly and consistently by all adults and professionals.
15. Young people suggested that information on advocacy should be clearly presented, actively offered and easily accessible so that young people can choose whether they want advocacy, rather than the decision being made by adults in their life.
16. For the majority of respondents, the preferred method of explaining and promoting advocacy is through engaging materials, such as short film clips. Young people thought these would be best if they included other care experienced young people; peer to peer learning is preferred.
17. Respondents that had no previous experience of advocacy demonstrated a clear preference for advocacy workers regularly visiting placements to introduce young people to advocacy.
18. For many care experienced young people, talking about advocacy is crucial to their understanding and ability to access. They stated they would prefer to do this with someone they know and trust.

The intention is that this information should inform the Scottish Government in how to effectively deliver on the policy intention of Section 122 of The Act. Our research also importantly highlights the impact on young people when they do not know about advocacy, the barriers to young people accessing advocacy support and the implications in their lives of not being able to express their views.

Advocacy needs to be viewed as an offer to looked after children and young people, rather than a service. It is the clearest example of self-directed support that a young person can experience and it can be their first experience of being an active and responsible citizen. Looked after children and young people uniquely have to encounter and navigate very complex formal processes and structures. They need support to understand, participate in and influence their own individual care journey and should have confidence that independent advocacy is a support which they will be aware of, and can access, should they need to.

Summary of Recommendations

- Who Cares? Scotland believes that independent advocacy should be **available to all looked after children**.
- This provision could be **provided as part of the commencement of section 122** of the Children's Hearings (Scotland) Act 2011. Statutory guidance and supplementary regulations can be supported by resources on the standard and quality of advocacy services being prescribed.
- **The current inconsistent approach to commissioning advocacy provision** needs to be addressed to ensure that looked after children and young people have reliable access to advocacy support wherever they live.
- Advocacy provision needs to be **independent of local authorities and providers of statutory care and protection services**.
- Independent advocacy must be **professional and relationship based**. It must be provided by **skilled** workers.
- Looked after children and young people **should have a right to access professional, independent advocacy support** from the beginning of their care journey.
- Looked after children and young people **should be informed of advocacy support** throughout their care journey. They should be **supported to understand** what advocacy support means through a range of appropriate methods including peer to peer information and discussions with trusted relationships.

Conclusion

Having advocacy provision in place and accessible to children who become looked after, means that they are given a chance to develop both an understanding of, and a relationship with, advocacy throughout their care journey. This allows the child and young person to exercise a level of control over how they are supported by advocacy. At present, we run the risk of dictating to looked after children and young people that they can only access advocacy in a limited set of circumstances, such as for their Children's Hearing. However, the Hearing itself is only one part of the 'system'. If looked after children and young people do not feel prepared or **do not develop a trusting relationship with their advocate before and after the hearing, then the benefit of advocacy to the child or young person will never fully be realised**.

Should you wish to discuss the content of this summary, please contact Who Cares? Scotland on the following details:

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