

Who Cares? Scotland's Priority Amendments

Children (Care, Care Experience and Services Planning) (Scotland) Bill

1

Amend Section 4 of the Bill to define independence as being separate to, for example, Lead Children's Services Planning Bodies and any care provision contracted by them within the local authority area in which a Care Experienced person resides, or "is placed" within a residential or secure setting.



Our members have told us that they struggle to trust non-independent advocacy services, as it can be hard to raise rights issues where ultimately one person or a team with a potential conflict of interest will be responsible for both investigating the issue and delivering the service under scrutiny. We believe that it isn't true advocacy if it isn't independent.

2

Section 18 must be strengthened by including an opt-out system of referral for independent advocacy, particularly for any child or young person referred on offence grounds or subject to a secure care "placement".

Opt-out advocacy is absolutely essential for the protection of children and young people's rights in the Hearings System and access to justice. Opt-out advocacy must be established as a legal right for children and young people referred on offence grounds or subject to a secure care "placement" as an absolute minimum to ensure protection of their human rights.



3

Include an accountability section requiring post-legislative scrutiny two years after enactment to assess progress toward keeping the Promise by 2030. Establish streamlined data collection, reporting and planning duties for Corporate Parents on their duties and Promise outcomes, in agreement with the government and COSLA.



Despite reports, statements and duty bearers insisting that change is happening, many Care Experienced people are not feeling enough change in their own lives. Several reports have revealed significant gaps between stated commitments and lived reality, demonstrating that Scotland is falling short of its Promise to the Care Experienced community.