

## Petitioner submission of 24 October 2022

### PE1958/B: Extend aftercare for previously looked after young people, and remove the continuing care age gap

The Scottish Government's response does not adequately address the concerns and recommendations in [my petition](#). Please see my asks to the Committee at the end of this response.

**Firstly**, it does not address my concern that Care Experienced people who 'leave care' before their 16<sup>th</sup> birthday are not included in the legal definition of 'care leaver' and are therefore not eligible for continuing care and aftercare described by the Scottish Government in their response (see s.66 of Children and Young People (Scotland) Act 2014).

The [SPICe briefing](#) includes the Promise evidence that 'present definitions that operate do not ensure that those who leave care prior to their sixteenth birthday are able to access legal entitlements, even though they have been removed from their families by a decision of the State.'

Who Cares? Scotland's advocacy highlights numerous examples of Care Experienced people not being able to access certain support due to:

- Not being formally looked after at the age of 16
- Having to push to be kept on Compulsory Supervision Orders (CSOs) when local authorities try to remove them against their wishes before the 16<sup>th</sup> birthday, including several examples of orders ceasing when someone is aged 15 years and 11 months.

When I left care at the age of 18, I was supported by my local authority and Barnardo's while attending college. I embraced my Care Experienced status, and this enabled me to receive counselling and support with education and housing. I obtained my degree with the support of my throughcare and aftercare team. This should be what every young person 'leaving care' can expect.

Instead, many Care Experienced friends from all placement types and some local authorities have been left to struggle.

For example, while at school, I received extensive support to obtain an apprenticeship. At college I had a support worker who I could turn to

when I needed extra support. However, due to being on a CSO after the age of 16, I was entitled to more support despite my friend facing the same challenges.

When I was 19, I received my first home with support from social work, my local authority and my aftercare worker. A peer was in a placement that was breaking down. They were facing homelessness. I encouraged them to attend a housing options interview and state that they were Care Experienced to get emergency accommodation. They were told to gain proof from social work.

They received a letter, but it stated that they had been taken off their CSO 24 days before their 16<sup>th</sup> birthday. They were told that they couldn't receive priority support. They subsequently weren't able to sustain their higher education as they weren't eligible for funding, and had to drop out.

**Secondly**, the Scottish Government response doesn't address my second or third asks, to extend support throughout Care Experienced people's lives, on the basis of individual need; and to ensure Care Experienced people are able to enjoy lifelong rights and achieve equality with non-Care Experienced people.

Every young person needs flexible and unconditional support as they leave home, and a safety net when things go wrong. However, the Independent Care Review found that care experienced people are more than twice as likely to experience homelessness, one and a half times more likely to experience financial difficulties, over three times as likely to not have had a full-time job by the age of 26 (The Money, 2020; 10).

Scotland has an ambition to be the best place in the world to grow up, but the young people the state assumes parental responsibility for still face immense barriers to equality of opportunity and enter adulthood at a great disadvantage. This is what causes the overrepresentation of Care Experienced people in our prisons, and increased risk of mortality than our peers (SPS, 2021; Murray et al, 2020). But it is preventable, and the Parliament have a legal and moral responsibility to address this.

The government's response refers to young people but does not set out what work it is doing to ensure Care Experienced people of all ages can access the support they need throughout their lifetime.

**I urge the Committee to call on the Scottish Government to extend s.66 to Care Experienced people who 'leave care' before their 16<sup>th</sup> birthday.**

**The Committee should also acknowledge the need for lifelong support and rights for Care Experienced people**, and consider how continuing care, the Promise and/or human rights legislation can strengthen protection in line with the inclusive definition set out by the Promise and the First Minister's personal commitment to Care Experienced people.

**I would welcome the opportunity to give oral evidence to the Committee to discuss these issues further.**