

## **Draft ECLCM Submission to the Laming Committee August 2015.**

### **The ECLCM campaign**

The ECLCM campaign group was established as a direct response to the government announcement in December 2013 that from April 2014 young people placed in foster care would be afforded the option to 'stay put' in their foster placements beyond their eighteenth birthday and potentially up to the age of twenty-one. Those who established the campaign have no issue with this opportunity for children placed in foster care but were and remain outraged that the same option was not extended to children placed in residential care.

The ECLCM campaign group is non-political and is not part of or affiliated to or funded by any political party, any other organisation, lobby group or factional interest all work undertaken on behalf of the campaign is entirely voluntary. Whilst originally formed by a group of individuals most of whom did not know one another before becoming involved in the campaign we have necessarily become rather more organised and structured as it has become evident that, despite the apparent inequality of the discrimination against children in residential care and residential care leavers, it will be a campaign that may have to be sustained for some considerable time. The campaign is now led by a Board of six individuals, including three of the original founders of the campaign and this submission represents the views of those individuals and their larger constituency. The Board reflects the membership of the campaign as a whole in that it is comprised of care leavers and professionals involved in children's services, some members of the Board being both care leavers and social care professionals.

The ECLCM campaign was originally heavily focused on its petition for Staying Put rights for all care leavers to the age of 21, which was launched through social media. At the time of writing, the petition has over 9000 signatories supporting the demand for residential care leavers to be given the option to 'Stay Put'.

The number and background of the signatories reflect the breadth of support given to the campaign and includes care leavers, social workers, residential and foster care providers, adoptive parents, social work teachers, lawyers and many others. The campaign team have also received the unsolicited views of many younger care leavers and children currently in residential care who have expressed concern at what they feel is an unfair proposal.

One of the major reasons for the launch of the ECLCM campaign was our shared impression that precious little evidence was evident to suggest that other organisations from the public, private, independent or voluntary sectors had any appetite to question the apparent inequality of the way the then coalition government's proposed to implement its 'Staying Put' policy. To the members of the ECLCM team, it was at best unfair to young people leaving residential care, and at worst downright discriminatory. Indeed following the launch of the ECLCM campaign, the team and its supporters were patronised and even denounced by some of those supporting and promoting the Staying Put initiative for young people from foster care only.

We note with relief and gratitude that many organisations have now declared their support for the ECLCM proposal, and as a group we have been fortunate enough to be invited to make our case in a number of different settings. Before specifically addressing the issue of children in care and criminality it might be helpful to reiterate our position.

### **The ECLCM position**

The ECLCM petitioners firmly believe that the Government's announcement to extend local authorities' duties to support young people wishing to stay with foster carers until the age of

21 should apply to those in residential children's homes and be centrally funded by government. ECLCM also support provision of alternative accommodation being extended to the age of 21 for all care leavers.

The reasons that we have reached this position is based upon the well-researched and documented disproportionately high percentage of disadvantage experienced by a of care leavers when compared to the rest of the population of young people of similar age who did not grow up in care settings. This has been extensively included in research studies and government statistics collected and collated about children in care and care leavers over the last forty or more years. We suggest that the information to which we are referring and a small sample of which we will present in this submission is absolutely relevant to the apparent disproportionate involvement of children in care and care leavers in criminal activity.

ECLCM do not believe existing provision for care leavers is wholly adequate or appropriate. Evidence for this is the routine disproportionately high percentage of young people from care found in disadvantage statistics including NEET, homelessness, young women involved in the sex trade, custody and young adults having to live with mental health issues. This situation has remained virtually unchanged or possibly even worsened over decades in spite of social policies from successive governments which have largely tinkered around the edges without addressing the fundamental issues of leaving care.

We take the view, consistently echoed by research and best practice, that children and young people grow and thrive when they are treated as individuals of worth, able to live in a safe stable environment where they are cared for by people with whom they enjoy consistent, positive and caring relationships. Many young people in care will have some history of being abused, traumatised, disappointed or let down by adults before and sometimes during their care experience. Many will have moved from placement to placement, disrupting relationships, education and social contacts. Many will have difficulty forming and sustaining loving relationships.

Young people from care need to know and trust people before they form such relationships. This need applies irrespective of the form of care the child is receiving, be it foster care or residential care. The trusted adults young people choose to support them into adulthood are not defined by their role and are as likely to be residential workers as they are social workers or foster parents. Young people placed in stable and positive residential placements are exactly comparable in this respect with young people placed in stable and positive foster placements.

The ECLCM campaign seeks for all young people leaving care to have the option to remain in their final placement until they are 21. We regard this as an option based upon the needs, best interests and wishes of the young people involved, but not the only option. We recognise that many young people will not need or choose to remain in a foster or residential placement beyond 18 years of age, and in common with their 'non-looked after' peers these young people will require a rich choice of practical and emotional support to be available and accessible for them. With the exception of bed and breakfast accommodation (which ECLCM regard as rarely, if ever appropriate) the ECLCM petitioners seek a varied choice of alterative supported accommodation and other support provision for all young care leavers.

It is well established by now that the average age for most young people who grow up within their own families to live independently is somewhere in the mid-twenties. These young adults usually enjoy the support of loving parents and families which follows them when they eventually leave home.

We are told that one in three men and one in six women aged 20 to 34 still lived with their parents. This clearly suggests to us that, compared to young people who are not in care, most young people are 'leaving home' at far too young an age. This disparity is even greater when the traumas, abuses, deeply troubled childhoods and fractured personal relationships that so many care leavers have experienced compared to 'normal' children are taken into account. Also, other young people in the community have family support systems around them. Too many care leavers do not enjoy the support of a caring family (or anyone else) when they are required to leave care.

Government statistics remind us that 62% of young people admitted to care have been abused or neglected. Contrary to some commonly held prejudices, only 2% of young people admitted to care are admitted for socially unacceptable behaviour. Approximately nine per cent of all looked after children are placed in children's homes. These young people often include the most vulnerable, those who present the most challenging behaviour, many of whom will have had multiple placement breakdowns by the time they are placed in residential care. Those amongst this group who find stability in their children's home are likely to have a greater than average need to be supported beyond the age of even 21 - and yet there is very limited provision for them to do so.

ECLCM believe that their need is greater, yet the opportunities afforded to them by government policy and provisions are even more restricted.

In spite of their disadvantages compared to other children, most care leavers manage to negotiate the transition to adulthood successfully, although for many it is a very difficult, stressful and lengthy process. However as the statistics reveal, this is not true for all care leavers and for a sizeable minority leaving care is a very traumatic experience. These statistics are numbing and depressingly familiar to those caring for children in the care system. Of the number of children aged 19 years who were looked after when aged 16 years, 34% were not in education, employment or training (NEET). Only 6% of all former care leavers were in higher education. 29 % of the former care leavers were in education other than higher, with a further 23% in training or employment.

Children in care are not less able; they simply do not enjoy the relative advantage that a stable childhood brings.

A recent report observed: **"Young people leaving care are among the most vulnerable children in our society. Even those who have had a stable placement may have very high levels of need. Many children who have been in the care system have had a childhood full of instability and trauma, with over 62% of looked after children being taken into care due to abuse or neglect."***(Still Our Children: Case for reforming the leaving care system in England (May 2013) - Briefing for House of Commons Report Stage of the Children and Families Bill.)*

The report comments on preparation for leaving care: ***"In addition preparation is often poor, and planning inadequate. Many young people lack the life skills and support they need. Young people's transitions from care to adulthood are often 'accelerated and compressed' and for many leaving care can be 'instant adulthood'.***

These transitions are particularly complex for young people with asylum or immigration issues, those with disabilities or mental health issues and those who have been detained in the youth justice system.

It is hardly surprising that the outcomes for care leavers are significantly poorer than those of other groups of young people. Other statistics reveal:

- About 23 per cent of the adult prison population have spent some time in care;

- Around a quarter of those living on the street have a background in care;
- Care leavers are four or five times more likely to commit suicide in adulthood;
- A quarter of care leavers were pregnant or young parents within a year of leaving care;
- In 2011 just 12.8 per cent of children who had been in care for a minimum of one year obtained five (good) grade GCSEs, including English and Maths. For other children the figure was 57.9 per cent;
- The number of 19-year-olds who were looked after when aged 16 years and who are now NEET is 34%, significantly higher than their non-care contemporaries;
- 11 per cent of care leavers in England live in 'unsuitable accommodation' upon leaving care;
- Between 45-49% of looked after children aged 5-17 years show signs of psychosocial adversity and psychiatric disorders, which is higher than the most disadvantaged children living in private households.

This submission is not, of course, specifically designed to promote the ECLCM campaign which will, regardless of Lord Laming's deliberations continue. We would argue, though, that much of the information presented by ECLCM to and which was accepted by the Education Select Committee 'Into independence, not out of care: 16 plus care options' is entirely relevant to Lord Laming's Inquiry. The fact that the government did not accept the recommendations of the Select Committee despite their rigorous investigation can surely only be explained in political terms with no reference to good child care. We consider too, that the decision of the Association of the Directors of Children's Services to support a proposition to extend a 'staying put' option to all care leavers up until the age of twenty-five years is further evidence of our growing credibility among informed listeners. It is from this position that we ask the Inquiry to consider our views.

The data cited, if not collected, by ECLCM points to a child care system that is and has been failing for many years. Whilst we have a particular interest in children leaving or being 'evicted from' care these very children have become the children of the state and their 'failings' must in some part be owned by their (corporate) parents. We must not 'pathologise' children in care – there is absolutely no justification so to do. Children in care, as children everywhere, are in many respects the product of their upbringing and the care that they have received during the course of their childhood – or not as the case may be. It is the case that on average, children in care achieve less in terms of their academic, social, psychological and emotional well-being than do their non-looked after peers. Yet the vast majority of children in care are, as evidenced in the data above, victims rather than 'culprits'.

Turning specifically to criminality, a cursory examination of criminal justice statistics might suggest that children in care are the contemporary manifestation of 'Fagin's street children.' Certainly it can at first examination appear that the tiny proportion of those who enter care as a consequence of the anti-social behaviour (op cit) in some way 'contaminate' their peers, encouraging previously virtuous children to turn to crime. This is simply untrue. The House of Commons Justice Committee among others has questioned the unnecessary criminalisation of children in care.

Much of the research on risk factors for youth offending correlates closely with many of the factors experienced by children in care – both preceding and during their time in care. These include

- Children with low self-esteem. We would contend that this is a particular issue for many looked after children
- Unstable Family life
- Inconsistent parenting
- Lack of positive role models
- Authoritarian parenting style

Lack of appropriate supervision by parents  
Changes of address / carers  
Physical and or sexual abuse  
Delinquent peer group  
Low educational achievement  
Special Educational Needs  
Limited take up of leisure opportunities  
Stress  
Anxiety  
Other unmet mental /emotional health needs.