

2021 UN Day of General Discussion on

Children's Rights and Alternative Care

Submission from Cyrenians

1. Background

Cyrenians is an Edinburgh-based non-governmental organisation working across Scotland to address the causes and consequences of homelessness.¹ We know there are many routes into homelessness and that there is no 'one size fits all' approach to supporting people towards more positive and stable futures. For over 50 years Cyrenians has been working with adults and young people to build resilience and better futures.

We now have over 50 projects all working towards **our vision** of an inclusive society in which we all have the opportunity to live valued and fulfilling lives. **Our mission** to support people excluded from family, home, work, and community enables us to engage with people at any point on their life journey.

Our way of working is built around our four values:

Compassion: we believe that everyone should have the chance to change, no matter how long that might take.

Respect: we believe in tolerance, acceptance, valuing diversity and treating each other as equals.

Integrity: we are committed to the highest quality of work, grounded in honesty, generosity, sincerity and professionalism.

Innovation: we are willing to take risks, challenge convention and be creative in our search for new ways of working, in particular by taking account of the environmental impact of our decisions.

Cyrenians has always worked with young people to ensure they feel loved, safe and respected, and can reach their full potential - we enable prevention, progression and change by building person-centred relationships which are not time-limited and which support people to thrive.

Our approach is based on Egan's Skilled Helper Model², rooted in building trusted relationships and trauma-informed; seeing the whole person and their lived experience, and understanding that lasting change is brought about when people are supported to manage their own problems effectively; realizing their own personal autonomy and potential. We know that poverty, trauma and social isolation are the biggest drivers of homelessness and there is a pressing need to radically transform the way Scotland, and other countries, provide 'help'.

Last year Cyrenians supported 6,398 people in their time of need, and an additional 32,730 people participated in our events, services and training courses.

¹ <https://cyrenians.scot/>

² Egan, G (1975) *The Skilled Helper*, Pacific Grove: CA Brooks/Cole.

2. The Scottish Context

Today, at any one time in Scotland, up to 84 children can be in secure accommodation - with **80%** being there for ‘wellbeing support’. Children in alternative care are almost always those who have experienced childhood adversity and difficulties such as significant loss, abuse, trauma and disrupted home/school lives.

Secure accommodation is among the most intensive and restrictive ‘alternative care’ in Scotland, whereby children up to age 18 are detained in a locked care setting, through the Children’s Hearing or justice system, due to the level of concern about risks of, or actual significant harm, their behaviours pose to themselves and/or others. Secure care aims to provide intensive support, care and education to keep children safe and to meet the extremely high levels of need and vulnerability experienced by these children.³

With only five secure care centres across Scotland, children/young people are often placed substantial distances away from their families and support networks. The current system is not set up to accommodate children locally nor give them any say in where they will be living, which can seriously disrupt family relationships and is not conducive to rights-based approaches.

The emphasis on positive family relationships was clearly highlighted in the UNCRC:

- the family, as the fundamental group of society and the natural environment for the growth and well-being of all its members and particularly children, should be afforded the necessary protection and **assistance** so that it can fully assume its responsibilities within the community;
- the child, for the full and harmonious development of his or her personality, should grow up in a **family** environment, in an atmosphere of happiness, love and understanding;

2.1 Children in Alternative Care

In Scotland, research evidence shows that the long-term impact of being accommodated can be devastating: lower educational outcomes, over-representation in the criminal justice system and making up a substantial proportion of the homeless population. Many reports also reference the need for consistency and a national approach to support not only young people in secure settings, but also the wider family, to overcome these impacts.⁴

There is also widespread support and recognition for greater wrap-around services for those entering and leaving care – it is often those points, at the ‘edges’ of the care system, when children are most at risk. The recent Independent Care Review, ‘The Promise’, published in 2020, sets out a further ambition for Scotland ‘to be the best place in the world to grow up’ so that children are ‘loved, safe, and respected and realise their full potential’.⁵ Five foundations are set out to do this, namely:

- to include the ‘voice’ of young people in decision-making
- to support ‘family’ to stay together, with an emphasis on early intervention and prevention, drawing attention to the pervasive impact of poverty.
- ‘care’ so that where families are not able to stay together children are provided with loving stable, safe relationships.

³ <https://www.cycj.org.uk/what-we-do/secure-care/>

⁴ Scottish Government, (2011) *Alternatives to Secure Care and Custody*, Edinburgh and

<https://www.carereview.scot/about/>

⁵ <https://thepromise.scot/>

- to recognise the ‘people’, the workforce and wider community that affect children’s lives.
- to provide ‘scaffolding’, that is support for the workforce, to uphold children’s rights as a matter of course, to create conditions for loving relationships.

Furthermore, a recent investigation by the Office of Scotland’s Children’s and Young People’s Commissioner found that children in secure accommodation may have been deprived of their liberty without due process of law. They called upon local authorities and the Scottish Government to urgently review practice to make sure it is fully compliant with legal duties and with human rights.⁶

3. Cyrenians’ approach

In this submission our primary aim is to highlight an example of innovatory practice which prevents family breakdown and separation. Providing families with the space and support they need to build strong, respectful relationships allowing each person to realize their international rights as individuals and as a unit.

We know that having a strong support system allows children to grow and thrive, and often means that when life does get difficult there are safety nets to prevent children falling into crisis. Without these lifelines it can be harder to know where to turn to, or how to recover from a setback. By providing support to families before the crisis point we can break the cycle of homelessness caused by relationship breakdown.

Relationships breakdown remains the leading cause of youth homelessness in Scotland, for over 10 years we have pioneered the three-pronged Amber approach in East Lothian and Edinburgh. Last year, 113 families benefited from our mediation and support projects with 100% of the young people we engaged with remaining/returning home or moving out in a planned and supported way.

This is an effective early intervention model addresses not only the root causes of homelessness at a local level but has also now been expanded to work nationally with children in ‘alternative care’, the primary aim being to strengthen family reintegration. We provide a skilled, integrated and intergenerational service to reduce family conflict and promote positive communication.

3.1 Keeping Families Together

The focus of the **Keeping Families Together** is to support children in care to rebuild family relationships and, where possible, return to the family home. Family contact has been highlighted as a specific area where more attention is needed for those in secure care (Gough, 2017).⁷ Draft standards, developed by the Secure Strategic Board (2019)⁸, also state families, friends and those important to the young people are to be actively supported to remain in contact with the young person, unless this is not in their best interests. Past research highlights the anxiety families’ feel, and the value placed on getting access to independent advice,

⁶ <https://cypcs.org.uk/resources/statutory-duties-in-secure-accommodation-unlocking-childrens-rights/>

⁷ Gough, A. (2017) *Secure Care in Scotland: Young People’s Voices*. Centre for Youth and Criminal Justice

⁸ Secure Care Strategic Board (2019) Report of the Secure Care Strategic Board to Scottish Ministers. Available online at: <https://hub.careinspectorate.com/media/3468/secure-care-strategic-board-report-to-scottish-ministers.pdf>

information, practical and financial resources to keep connected, and in some cases to meet other families in similar situations.⁹

Since April 2020 Cyrenians has been running Keeping Families Together - specifically targeted at the denials of rights noted above with a clear focus on children (aged 12+) in alternative care and at greatest risk of spiralling further into the criminal justice system. Over the course of three years (2020 – 2023) we will work alongside Scotland's five secure units to strengthen family relationships and reintegration.¹⁰

In 2019, the NSPCC reported *'There are a number of ways to improve a child's experience of returning home from care: Working with the family to help strengthen their relationship & providing support and services for the child and their family before and after the return home'*.¹¹ Our Keeping Families Together project, funded by Cashback for Communities¹², aims to address this gap in provision by delivering a rights-based and trauma-informed service which focuses on reducing conflict and promoting positive family interactions.

Keeping Families Together supports young people in secure care two key points; at the point of admission, and those who are in the process of returning home. It is closely aligned with several articles in the UNCRC, particularly articles 3,6,7, 12, 18.

Research on desistance and resilience shows clear links between positive supportive relationships and reduction in offending. Keeping Families Together has also been designed to work across generations, to break the vicious cycles experienced by some children - *"For my family, I want to break the cycle of social work involvement for four generations of my family – through drugs and addictions."*¹³

3.2 Our approach

Our award-winning approach to family mediation and support, offers:

- Mediation

A skilled mediator works with children, parents/carers and siblings to encourage them to test new approaches resulting in positive communication within the **family** and in their interactions with others.

- Practical support

1-to-1 support in areas which may present barriers to mediation such as education, employment, substance misuse. Outreach workers **listen** to the young person, build trusted relationships and use a variety of skills-building tools to improve self-esteem and reduce insecurities.

We support parents with issues which can influence parenting; such as health, emotional wellbeing, employment, housing, finance, substance abuse, and social networks. And, where

⁹ Malloch, M. (2013) *In Their Own Right: Support for families with a young person in secure accommodation*. Edinburgh: Families Outside

¹⁰ <https://www.cycj.org.uk/what-we-do/secure-care/>

¹¹ <https://learning.nspcc.org.uk/research-resources/learning-from-case-reviews/returning-children-home-from-care>

¹² Cashback for Communities is a unique Scottish Government programme which takes money seized from criminals under the proceeds of crime legislation and invests them in Scotland's future – our young people. For further details <https://cashbackforcommunities.org/>

¹³Quote from young person (Action for Children, Scotland's Care System: Achieving Life Goals and Ambitions 2017)

appropriate, discuss underlying family issues such as divorce, family dynamics, bereavement, helping them to explore and find ways to manage the effects of trauma effectively in their family. As a result parents/carers report they feel better able to care for their children without the costly interventions of the state.

- **Conflict Resolution Workshops**

Interactive workshops for young people in secure care who are struggling with conflict, promoting better communication and reducing the potential for future conflict. Our six week 'Fight or Flight' workshops skill up young people to better manage anger, build stronger relationships and limit the negative consequences of conflict, thereby reducing the number of incidents occurring within the units/home/community that might have previously required a police response and, in some cases, resulted in alternative care.

Anger, aggression and the inability to communicate effectively within the home can have a disastrous impact on children, families and communities. The relationship skills children gain project have a lifelong impact, equipping them to develop/maintain positive relationships beyond their family long after the actual intervention, and make more confident future decisions.

Children and families report they feel better able to communicate their needs and emotions with others, resulting in more positive interactions with each other, unit staff, social work and others involved in their care. Young people regularly report that in working with Cyrenians it is the first-time they feel **listened** to *“Just having someone there to listen without judgment and to make you feel you’re not crazy after all. It is the first time I have felt that someone has really listened to me*

In short, our approach directly addresses disadvantages faced by care-affected young people, builds resilience, increases self-confidence and assists positive transition into adulthood.

4. Covid-19 Impact

Covid-19 has had a huge impact on all families but particularly those who are separated from, or have restricted access, to each other. Although still early days in the Keeping Families Together project, we were agile in our pandemic response:

- exploring family preferences, swiftly adapting to maintain remote support (via phone, online, text)
- supplying electronic devices, and support to use the equipment, to facilitate online video conferencing to maintain family contact and external support
- offering conflict resolution lesson plans and delivering sessions online

One young person, accommodated far away from his family and unable to receive face-to-face visits due to lockdown, received an electronic tablet and said *“Thank you, I just wanted to see my mum’s face”*

5. Summary and Recommendations

Strong, positive relationships are essential to a person’s health and wellbeing, and that could not be truer for children. At what can only be an enormously stressful and difficult period in a child’s life, it is imperative that both children and families receive appropriate support to build and maintain relationships so that, where possible, children can return home to a positive environment.

Our approach directly addresses the disadvantages and denial of rights faced by children in alternative care - it builds resilience, assists positive transition into adulthood and strengthens family relationships.

In short, we call for the:

- Implementation of the UNCRC into domestic legislation and wider promotion of age-specific resources so all children learn about their rights at home, in schools and alternative care settings
- Embed and action ‘The Promise’ principles and recommendations
- Adoption of a national and unified ‘whole systems’ approach to ensure children and families receive the right support at the right time, including destigmatising ‘asking for help’ and normalising the issues that can escalate out of control within families if left unchecked, such as free access to training/resources for parents/carers.
- Expansion of early intervention initiatives which offer a trauma-informed and rights-based approaches at the earliest opportunity, to prevent family separation in the first place.
- The right to family strengthening and reintegration for all children in alternative care, so that, where possible, they can return to the family home with the required support.
- Full implementation and monitoring of Scotland’s Secure Care Pathway and Standards to ensure children’s rights are upheld before, during and after being placed in care.

6. Contact details

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