

#KeepThePromise



Adult Criminal Justice

Autumn 2020

Between 2017 and 2020, the Care Review heard the experiences over 5,500 care experienced infants, children, young people, adults and members of the paid and unpaid workforce had of Scotland's 'care system', and their vision for what needed to change. This vision was set out in ['The Promise'](#) which reflected what was heard and detailed the foundations that Scotland's care for its children and families must be built on:



Voice: Children must be listened to and meaningfully and appropriately involved in decision-making about their care, with all those involved properly listening and responding to what children want and need. There must be a compassionate, caring, decision-making culture focussed on children and those they trust.



Scaffolding: Children, families and the workforce must be supported by a system that is there when it is needed. The scaffolding of help, support and accountability must be ready and responsive when it is required.



Family: Where children are safe in their families and feel loved they must stay – and families must be given support together to nurture that love and overcome the difficulties which get in the way.



Care: Where living with their family is not possible, children must stay with their brothers and sisters where safe to do so and belong to a loving home, staying there for as long as needed.



People: The children that Scotland cares for must be actively supported to develop relationships with people in supported to listen and be compassionate in their decision-making and care.

This series of briefings is intended to help Scotland **#KeepThePromise**, highlighting key areas of alignment between what was heard during the Care Review and mapping those to different sectors, in order to guide and inform planning and implementation. They will also bring into focus the substantial amount of overlap between these areas across all parts of the country's workforce. It is hoped that in doing so, the briefings will support inter-sector, partnership discussions on how to take forward Scotland's Ambition, to make it the best place in the world to grow up.

Each briefing begins with a bullet point summary of the 'headline' themes for the sector. The remainder of the document highlights key sector-relevant themes and sections from The Promise giving the relevant page numbers to help signpost readers.

Briefing Summary

- Scotland must do all it can to prevent the imprisonment of those with parenting responsibility.
- Scotland must meet the needs of its adults to ensure its children grow up loved, safe and respected and realise their full potential.
- There must be more support for families, based in the communities where they live.
- There must be significant, ongoing and persistent commitment to ending poverty and mitigating its impacts for Scotland's children, families and communities.
- Care experienced young people must be supported through transitions and onward into adulthood.
- Young adults with care experience, parents and carers and must be able to access mental health support at all stages of their lives.
- Supporting the workforce to care must be at the heart of Scotland's service planning

Scotland must do all it can to prevent the imprisonment of those with parenting responsibility

- p.53** Scotland must do all it can to prevent the imprisonment (either on remand or as part of a sentence) of those with parenting responsibility and progress the presumption against short custodial sentences.
- p.53** The needs, views and rights of children must be taken into account as part of sentencing decisions. Failure to do that means that criminal courts do not have a holistic view of the impact of imprisonment.
- p.53** The Care Review has heard stories of a complete failure of planning and support for the children of parents facing imprisonment, leading to children being abandoned or going to an inappropriate place.
- p.53** If parental imprisonment takes place there must be wraparound support for the family, with planning for the likelihood of imprisonment and clear support for children who are impacted. Parents facing imprisonment must be supported to make plans for their children and everything must be done to avoid emergency removal and a panicked response.
- p.53** Scotland must do more to ensure that children's experience of a parent being in prison is as supportive as possible. There must be no reporting of anything that will identify or stigmatise the children and families of people who offend.
- p.53** Scotland must reduce the worry for children of imprisoned parents so that the experience of prison visiting is as positive and non-stigmatising as possible. Where it is safe

to do so, the relationship between child and parent must be supported.

- p.53** Scotland must do all it can to avoid the imprisonment of pregnant mothers. For mothers who are in prison at the time of giving birth, there must be support for them to care for and remain with their babies for as long as possible where it is safe to do so.
- p.53** They must be fully involved in all decisions about their baby and be given all the support they need to nurture.
- p.53** Support must follow them when they leave prison so there is a smooth transition of care.

Scotland must meet the needs of its adults to ensure its children grow up loved, safe and respected and realise their full potential

- p.54** Failures in adult services have a profound impact on the ability of children to have fulfilling childhoods. Fundamentally there must be a shared language of care and approach between services and professionals so that families are not navigating between competing standards and expectations.
- p.54** There is significant research on the pervasive impact and relationship between substance use, mental health difficulties, domestic abuse and likelihood of children being removed from the care of their parents. Families experiencing these issues must be supported with flexible, creative services and relationships.

- p. 16** Scotland must broaden its understanding of risk. This is not about tolerating more risk, or becoming more risk enabling. It means ensuring Scotland has a more holistic understanding of risk that includes the risk to the child of removing them from the family. There must be a shift in focus from the risk of possible harm to the risk of not having stable, long term loving relationships.
- p.55** The scaffolding of the system must shift from managing risks and needs to supporting families to find their own solutions. At its core, intensive family support must be based on relationships between families and the workforce.

There must be more support for families, based in the communities where they live

- p.15** Nurturing and supporting families to stay together will take far more than what Scotland currently provides.
- p.46** Scotland's commitment to early intervention and prevention must be realised through proper, holistic support for families. There must be a significant upscale in universal family support services.
- p.48** Scotland must support a broad understanding of the importance of the early years of parenting.
- p.49** Scotland must ensure that there are places in every community for parents of young children to go for support and advice, to meet other local parents and to stay and play with their children.
- p.52** Scotland must support all families caring for disabled children and those with additional support needs. If families

require intensive support they must get it and not be required to fight for it.

- p.52** Scotland must recognise that there are some families experiencing particular issues who are much more likely to come into contact with the 'care system'.
- p.55** Whatever issues families face, Scotland must ensure that intensive family support is available, proactive and characterised by the **10 family support principles**.
- p.57** Intensive family support must be geographically located in local communities, with the explicit intention of maximising the assets of the community and community-based relationships. Support must be explicitly connected to, or even housed in, locations that work for local families and the community, such as schools, health centres, village halls and sports centres. Scotland knows where this support is most needed. Communities must have a say in where support is located.
- p.63** Support for families who have had their children removed – If children are removed from the care of their parents, Scotland must not abandon those families. Families must continue to be provided with therapeutic support, advocacy and engagement in line with principles of intensive family support.
- p.51** There must be criteria free, community based access to therapies that do not stigmatise, but help and support children and young adults to work through difficulties they are facing.
- p.107** Parenting education should be encouraged and available for everyone in advance of parenthood as an essential part of building a healthy society. That does not mean the

provision of parenting education programmes that can be stigmatising, where an invitation onto a course can be interpreted as a sign of failure. Rather there must be a broader celebration of parenting and universal, community based, accessible nurture and support

Poverty must be addressed

- p. 18** There must be significant, ongoing and persistent commitment to ending poverty and mitigating its impacts for Scotland's children, families and communities.
- p.47** The Care Review has not been able to ignore the impact of poverty on families and communities across Scotland. There is significant evidence that social and economic inequalities, particularly poverty and debt, increase the stressors in families and communities. Poverty can make parenting more difficult.
- p.17** Beyond the material aspect, poverty also takes a toll on children and adult's hearts and minds that can, in some cases, increase the risk of interaction with the 'care system'. The stress of living in poverty can make family life harder – increasing anxiety and depression, damaging both mental and physical health.
- p.17** Socioeconomic disadvantage and stressful life conditions can drive parents to reach for perceived coping mechanisms that do more harm than good – problematic substance use, for example. Stress can raise the risk of abuse and neglect. Evidence shows that poverty generates stress which in turn has impacts on biological, physical and mental health.

- p.47** When poverty is combined with other issues such as mental health problems, domestic abuse or substance use, the challenges of parenting can be magnified. Families struggling to cope with poverty, poor housing, substance use and health difficulties may have little capacity to engage with services in order to make changes.

Care experienced young people must be supported through transitions and onward into adulthood

- p.92** Young adults for whom Scotland has taken on parenting responsibility must have a right to return to care and have access to services and supportive people to nurture them.
- p.92** Older care experienced people must have a right to access to supportive, caring services for as long as they require them. Those services and the people who work in them must have a primary focus on the development and maintenance of supportive relationships that help people to access what they need to thrive.
- p.92** These rights recognise the pain and trauma that have often accompanied the circumstances of care experienced people's lives and mirrors the type of support that many families provide for their children. When young adults move on to independent living or need to return to a caring environment, all decisions must be made in their best interests and not on the strict application of age criteria.
- p.92** Aftercare must take a person-centred approach, with thoughtful planning so that there are no cliff edges out of care and support

Young adults with care experience, parents and carers and must be able to access mental health support at all stages of their lives

- p.55** Children have told the Care Review about the difficulties of growing up in environments where parents and adult carers mental health is not supported.
- p.55** There must be availability of services to support parents and carers mental health at all stages of their parenting journey.
- p.55** There must be effective and flexible collaboration between services supporting adult mental health and statutory children's services.
- p.55** All services must take the same approach and operate with the same values recognising that some families will require long term support.
- p.51** Many care experienced children and young adults told the Care Review that they were unable to access mental health support at the point it was needed. They were often required to be 'stable' before receiving a service, with long waiting times and limited services not providing what they needed.
- p.51** Children and young adults must not require a significant mental health diagnosis before they can access support. Mental health diagnosis is important and must be a supportive process, but diagnosis is not always a requirement to promote healing from distressing experiences. Barriers to accessing support can lead to people requiring a diagnosis before they access a service.

- p.51** Scotland must ensure that timely, trauma informed and thoughtful support therapies act as a cushion to all those that require it, regardless of diagnosis.

Supporting the workforce to care must be at the heart of Scotland's service planning

- p.100** Providing adequate time for effective, flexible, day to day and more regular structured support, supervision and reflective practice is vital in caring for the workforce so that they can care for others. It supports the development of a workforce that can manage risk in a relational rather than a process driven way and feels safe to practice even in challenging circumstances. Scotland must ensure the provision of properly trained supervisors.
- p.100** Supervision and reflective practice is essential for all practitioners, regardless of their professional discipline or role, who are working with children.
- p.100** Without proper supervision and support, the workforce is more likely to feel isolated, vulnerable and risk averse. Scotland must recognise the secondary effects of working with and caring for children who have and continue to experience trauma.
- p.100** Scotland must recognise that the workforce is also made up of survivors of trauma. Those with lived experience must be supported to be part of the workforce and nurture their instinct to 'give back,' but there must be recognition of the pain that may accompany that involvement. They must be supported to continue to care.

#KeepThePromise

'The Promise' outlines an approach to family and to care that will mean that Scotland can truly be 'the best place in the world to grow up.' To achieve that, there is considerable work to be done.

This series of briefings is intended to support your organisation in thinking about what it means to #KeepThePromise. It should be used to help you to align organisational policies, strategies and practices with what the Care Review heard, and to identify what changes can be made to those, both now and in the future. The Care Review made clear that it is simply not possible to isolate any one aspect of the system. Therefore, these sector briefings should also help organisations understand who else they need to work with in order to make change happen.

To realise the ambitious scale and extent of change, The Promise Team will need the ongoing input and views of all those with responsibility. Please look at the #KeepThePromise **engagement document** to help you think about the work of change.

The Promise website will be regularly updated with information and resources.

For more information about what the Care Review heard about adult criminal justice see the **Evidence Framework**.



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