

Citizen Participation and Public Petitions Committee

16th Meeting, 2023 (Session 6), Wednesday
8 November 2023

PE1958: Extend aftercare for previously looked after young people, and remove the continuing care age cap

Lodged on 6 September 2022

Petitioner Jasmin-Kasaya Pilling on behalf of Who Cares? Scotland

**Petition
summary** Calling on the Scottish Parliament to urge the Scottish Government to:

- Extend aftercare provision in Scotland to ‘previously looked after’ young people who left care before their 16th birthday, on the basis of individual need
- Extend continuing care throughout Care Experienced people’s lives, on the basis of individual need
- Ensure Care Experienced people are able to enjoy lifelong rights and achieve equality with non-Care Experienced people. This includes ensuring that the UN Convention on the Rights of the Child and the findings of The Promise are fully implemented in Scotland.

Webpage <https://petitions.parliament.scot/petitions/PE1958>

Introduction

1. The Committee last considered this petition at its meeting on [31 May 2023](#). At that meeting, the Committee agreed to invite the Minister for Children, Young People and Keeping the Promise to give evidence at a future meeting.
2. The petition summary is included in **Annexe A** and the Official Report of the Committee’s last consideration of this petition is at **Annexe B**.
3. Written submissions received prior to the Committee’s last consideration can be found on the [petition’s webpage](#).

4. Further background information about this petition can be found in the [SPICe briefing for this petition](#).
5. The Scottish Government's initial position on this petition can be found on the [petition's webpage](#).
6. Every petition collects signatures while it remains under consideration. At the time of writing, 511 signatures have been received on this petition.

Action

The Committee is invited to consider what action it wishes to take.

Clerk to the Committee

Annexe A

PE1958: Extend aftercare for previously looked after young people, and remove the continuing care age cap

Petitioner

Jasmin-Kasaya Pilling on behalf of Who Cares? Scotland

Date lodged

06 September 2022

Petition summary

Calling on the Scottish Parliament to urge the Scottish Government to:

- Extend aftercare provision in Scotland to ‘previously looked after’ young people who left care before their 16th birthday, on the basis of individual need;
- Extend continuing care throughout Care Experienced people’s lives, on the basis of individual need; and
- Ensure Care Experienced people are able to enjoy lifelong rights and achieve equality with non-Care Experienced people. This includes ensuring that the UN Convention on the Rights of the Child and the findings of The Promise are fully implemented in Scotland.

Previous action

We have previously contacted:

Bill Kidd MSP and Carol Monaghan MP

The previous Minister for Children and Young People, Maree Todd
First Minister.

They and their teams directed me to The Promise or 1000 Voices project.

Background information

When we ensure everyone in our community has access to the support they need, if and when they need it, everyone benefits. Some Care Experienced people in Scotland today are finding services inaccessible due to arbitrary criteria relating to their age and when they left care. They are often left to navigate difficult issues without support that many of their Care Experienced peers are entitled to. We can fix this by improving legislation to include all Care Experienced people who need support.

I have numerous examples of 'previously looked after' peers not being given access to the same support I have. My own support ended at the age of 24, but care hasn't left me, it has lifelong implications.

I have also gathered evidence from Who Cares? Scotland's advocacy, Helpline and reports, as well as CELSIS' Continuing Care report and Clan Child Law's blog.

Without support to access our rights, we can be left facing stormy waters with no lifeline.

Annexe B

Extract from Official Report of last consideration of PE1958 on 31 May 2023

The Convener: PE1958 seeks to extend aftercare for previously looked-after young people and remove the continuing care age gap. The petition was lodged by Jasmin-Kasaya Pilling on behalf of Who Cares? Scotland. My eyesight is sometimes a little bit dodgy, but I thought that I spotted her joining us this morning, so I welcome her to the gallery.

The petition calls on the Scottish Parliament to urge the Scottish Government to extend aftercare provision in Scotland to previously looked-after young people who left care before their 16th birthday, on the basis of individual need; to extend continuing care throughout care-experienced people's lives, on the basis of individual need; and to ensure that care-experienced people are able to enjoy lifelong rights and achieve equality with non-care-experienced people. That includes ensuring that the UN Convention on the Rights of the Child and the findings of the Promise are fully implemented in Scotland.

Colleagues will recall that we last discussed this petition at our meeting on 19 April, when we heard evidence from the petitioner, Jasmin, and from representatives of Who Cares? Scotland, CELCIS, the Children and Young People's Commissioner Scotland and The Promise Scotland.

Members will also recall that, ahead of our previous consideration, there was an informal discussion with care-experienced individuals and their advocates. A note of that discussion has been published on the committee's web page for the petition. During those evidence sessions, we heard about the importance of ensuring that individuals are aware of their rights, which seems to be a major concern, and, in particular, the consequences of individuals being removed from supervision orders before their 16th birthday. We also heard about the inconsistent application of existing support, both within local authorities and across the country, and the need to ensure that provisions of the Children and Young People (Scotland) Act 2014 are fully implemented.

We have all had time to reflect on the evidence that we heard, and I am pretty certain that, having done so, there is considerable additional work for us to consider. Are there any suggestions from the committee as to what we might do? At some stage down the line, I think that we will want to hear from the Minister for Children, Young People and Keeping the Promise, but I wonder whether there is anything that we might think of doing in advance of that.

Alexander Stewart: I agree. The petition has opened up many more options. It is about rights and about the inconsistencies that we have found. I concur that the

minister should come to give evidence to the committee. It might be useful to seek information from the Scottish Government on what action it is taking to address workforce capacity issues to ensure that care-experienced people can access support when they need it.

As you said, convener, plans to introduce legislation on the Promise are also vital to the whole process. I suggest that the minister coming to the committee to give us some clarity on both those aspects would be a way to progress the matter. We will learn more about the Scottish Government side of things when the minister is here, giving evidence on the petition.

The Convener: There are a number of questions that we could put to the minister in advance or in an evidence session. Does the committee have a preference? Should we ask for more detailed information in advance?

Alexander Stewart: As you rightly identify, we could write to the minister to ask what the Scottish Government and local authorities are considering in relation to bringing an end to the practice of removing the compulsory supervision orders, and to seek information on whether the Scottish Government will consider amending the Children (Scotland) Act 1995 to ensure that the duty to provide continuing care applies to care-experienced people who need it, even if they have ceased to be looked-after individuals before their 16th birthday. We had very good discussions on that when we took evidence. We could ascertain the Government's position on those issues prior to the minister attending the committee.

The Convener: Alternatively, we could write to say that those are the issues that the committee will be particularly interested in focusing on. We can pull together the information and the committee's concerns and flag up to the minister that we will seek to address those aspects when we take evidence from her directly.

Are we content to proceed on the basis that we will keep the petition open and invite the minister to join us at a future meeting—obviously, that will be after summer recess—at which we will take more detailed evidence on the petition and see what further progress we can make?

Members *indicated agreement.*