



RESPONSE TO CONSULTATION ON 'DRAFT STRATEGIC POLICE PRIORITIES FOR SCOTLAND'

August 2016

CEL CIS is the Centre for Excellence for Looked after Children in Scotland, based at the University of Strathclyde. We work with partners to improve the lives of Scotland's looked after children and care leavers, using a collaborative approach to support changes in systems and services which will benefit children and their families. We welcome this opportunity to contribute to the draft Strategic Police Priorities for Scotland, outlining the top level framework for what is expected of the police service. CEL CIS welcome the opportunity to consider how the lives of looked after children and care leavers could be further improved and reflected through the strategic priorities and objectives of Police Scotland and the Scottish Police Authority.

Many children have experiences which require extra care, support or protection from public agencies. In some cases, children become 'looked after', meaning a local authority takes on some legal responsibility for the care and wellbeing of the child. There are approximately 15,500 looked after children in Scotlandⁱ, who come from a range of backgrounds. Looked after children are not a homogenous group; they are individuals with their own needs, strengths and vulnerabilities. Looked after children come from a range of backgrounds and live in a variety of circumstances; for example, approximately 10% of looked after children live in residential homes, 35% live with foster carers, 27% live in a kinship care setting, and 25% live at home with one or both of their birth parents. Under the Children and Young People (Scotland) Act 2014, the chief constable of the Police Service and the Scottish Police Authority are corporate parents to all looked after children, and to all care leavers who were looked after children at their 16th birthday, and whom are currently under the age of 26.

Looked after children should be an important consideration for Police Scotland and the Scottish Police Authority, not only due to their legal responsibilities as corporate parents, but also due to the needs and vulnerabilities of this group of children. Looked after children and care leavers are over-represented in the criminal justice system: in a study in England and Wales, looked after children were nearly twice as likely as their peers to be cautioned or convicted of an offence, and a third of children in custody have been looked afterⁱⁱ. This over-representation in England and Wales of this population strongly suggests a similar pattern in Scotland. Indeed, a report from 2013 suggests that more than one third of young offenders in Scotland had experience of living in careⁱⁱⁱ.

Many looked after young people and care leavers are at risk of offending due to experience of past abuse, neglect or unstable living arrangements, both prior to and following their entry to the looked after system. These factors may impact on their coping skills, including the ability to act appropriately, to express themselves adequately and to conform to social norms. This means that they may be more likely to come into contact with police services. In some instances, behaviour that appears to be troublesome may arise more from past difficulties than from any criminal intent; it is often a form of communication, reflecting distress or a desire for attention. It would be helpful if all police officers had an understanding of the vulnerabilities of all looked after children (children who may be looked after in the community, as well as those in residential settings) and care leavers. Looked after children, their families, and care leavers will benefit from specific support from the police to improve safety, reduce risk, and come into contact with positive adult role models.

Question 1. Do the revised Strategic Police Priorities sum up your ambitions for your police service?

Yes. The six themes which are the focus of the draft Strategic Police Priorities (localism, prevention, response, collaborative working, accountability and adaptability) reflect the diversity and complexity of the service, and are aligned with the policing principles of improving safety and wellbeing of persons, localities and communities; working in collaboration; being engaged with local communities; and promoting the prevention of crime, harm and disorder. These ambitions are welcome, and reflect our sense of the themes that an excellent police service should work for the benefit of all, including looked after children and care leavers.

The useful explanation of links between the Strategic Police Priorities, the Strategic Plan, the Annual Police Plan and Local Police Plans provides an overarching view of how these priorities inform the day to day work of the police on a number of levels.

Question 2. Do the revised Strategic Police Priorities reflect the needs of your local community or the communities you serve?

As CELCIS, our focus is on working with partners to improve the lives of Scotland's looked after children and care leavers. The priority themes of localism, prevention and collaborative working are particularly reflective of the needs of this group from the police service. By understanding looked after children and young people within their particular local community, and working collaboratively with others (for example Community Planning Partnerships), a preventative service is more achievable. The aim of creating a fairer and more equal Scotland and the acknowledgement of the need to focus resources on early intervention, in particular when working with young people (who are noted as "more likely than others to experience crime" - p14), is welcomed.

When considering vulnerable groups, communities and inequality, it is important to note the role of the chief constable of the Police Service and the Scottish Police Authority as Corporate Parents to all looked after children and care leavers. The draft Strategic Priorities could be strengthened by making reference to this.

Under [Part 9: Corporate Parenting of the Children and Young People \(Scotland\) Act 2014](#), and associated [statutory guidance](#), there are now specific duties for the Scottish Police Authority and the chief constable of the Police Service. Section 58 sets out these Corporate Parenting responsibilities:

- 1) It is the duty of every corporate parent, in so far as consistent with the proper exercise of its other functions—
 - a) to be alert to matters which, or which might, adversely affect the wellbeing of children and young people to whom this Part applies,
 - b) to assess the needs of those children and young people for services and support it provides,
 - c) to promote the interests of those children and young people,
 - d) to seek to provide those children and young people with opportunities to participate in activities designed to promote their wellbeing,
 - e) to take such action as it considers appropriate to help those children and young people
 - i) to access opportunities it provides in pursuance of paragraph (d), and

- ii) to make use of services, and access support, which it provides, and
- f) to take such other action as it considers appropriate for the purposes of improving the way in which it exercises its functions in relation to those children and young people.

Furthermore, the Scottish Police Authority and the chief constable of the Police Service have a duty to prepare a corporate parenting plan (section 59), collaborate with other corporate parents in so far as reasonably practical (section 60), report on how they have fulfilled these duties (section 61), provide information to Scottish Ministers (section 62), have regard to guidance issued by Scottish Ministers (section 63) and comply with directions from Scottish Ministers (section 64).

We are aware that a considerable amount of work has been undertaken towards realising these duties and responsibilities, and feel that this should be reflected within the draft Strategic Police Priorities. It is understood that as a high level framework, the draft is not designed to include detail of specific work. Despite this, a recognition of the duties and responsibilities held as corporate parents would strengthen the draft and ensure that the importance of the issue filters down and forms a part of the broader plans discussed in Part 2 of the draft.

Question 3. Do you have anything to add to our impact assessments?

The decision to use Children’s Rights and Wellbeing Impact Assessments (CRWIA) alongside Equality Impact Assessments is warmly welcomed. As a corporate parent, it is particularly important to consider looked after children and care leavers through these mechanisms. Such assessments should consider the needs and risks of children who are looked after and who are care leavers, and including information about additional measures taken to safeguard and protect their wellbeing.

The recognition of the specific duties in relation to Part 1: Children’s Rights under the Children and Young People (Scotland) Act 2014 also strengthens the draft here, and the decision that CRWIA will be undertaken to assess whether policies help make children’s rights a reality, and protect and promote the wellbeing of children and young people, can support the fulfilment of these duties.

Thank you for providing us with this opportunity to respond. We hope the feedback is helpful; we would be happy to discuss any aspect in further detail. The writer has a specific remit in terms of offering support and advice to all corporate parents named

in the Children and Young People (Scotland) Act, 2014, and as such would be delighted to hear from you regarding this issue. A [useful guide](#) to corporate parenting duties and responsibilities can be found on CELCIS website. Additional practice [implementation notes](#) are also available via our website.

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ⁱ Scottish Government (2016) [Children's Social Work Statistics Scotland 2014/15](#), Edinburgh: Scottish Government.

ⁱⁱ Department for Education (2014) *The Children Act 1989 Guidance and Regulations: Volume 2: Care Planning, Placement and Case Review* [Supplement] <https://www.gov.uk/government/publications/children-act-1989-careplanning-placement-and-case-review>

ⁱⁱⁱ Broderick, R, McCoard, S, & Carnie, J. (2014). Prisoners who have been in care as 'looked after children'. 2013: *14th Survey Bulletin*. Edinburgh: Scottish Prison Service. P.5.