

Cynulliad Cenedlaethol Cymru | National Assembly for Wales  
Y Pwyllgor Plant, Pobl Ifanc ac Addysg | Children, Young People and  
Education Committee

Blaenoriaethau ar gyfer y Pwyllgor Plant, Pobl Ifanc ac Addysg |  
Priorities for the Children, Young People and Education Committee

CYPE 68

Ymateb gan : Plant yng Nghymru – Grŵp Darparwyr Eiriolaeth Plant a Phobl  
Ifanc Cymru Gyfan

Response from : Children in Wales – All Wales Children and Young People’s  
Advocacy Providers Group

## **Introduction**

Children in Wales has been working with our member organisations and the office of the Children’s Commissioner for Wales to help realise the vision of established and sustainable independent advocacy services to help protect children from abuse and harm, and to ensure mechanisms are in place to enable their voices to be heard.

The **All Wales Children and Young Peoples Advocacy Providers Group** was established in 2004 to support our member organisations who deliver advocacy services to children and young people, and to

- Promote partnership and collaborative working between organisations in the field of children and young people’s advocacy.
- Provide a forum to support Welsh Government policy development around children and young people’s advocacy.
- Promote the UN Convention of the Rights of the Child and ‘Children’s Rights’ more broadly.
- Link to broader issues of children and young people’s participation in Wales.
- Help improve access to advocacy services for children and young people
- Help improve the outcomes for vulnerable children and young people who may need advocacy support, including looked after children

Membership of the group consists of professionals and representatives from organisations and/or interest groups with clear responsibilities for promoting the rights and wellbeing of children looked after and other vulnerable groups who may benefit from advocacy provision. This includes the national advocacy provider organisations (NYAS Cymru and Tros Gynnal Plant), Voices from Care Cymru, ProMo Cymru (in their capacity as delivering the MEIC Helpline), SNAP Cymru, Children in Wales with Welsh Government and the Children's Commissioner for Wales having observer status.

### **Our Response**

The **All Wales Children and Young Peoples Advocacy Providers Group** welcomes the opportunity to help inform the Committee with the development

**PLEASE NOTE: Our response focuses on issues within the realm of 'Children and young people's advocacy'. A number of the Group member have also submitted responses on behalf of their organisations. We would wish to draw the Committee's attention to these and to the recommendations within.**

of its forward work programme.

### **Advocacy for Children and Young People**

Advocacy is about speaking up for children and young people, making sure that their rights are respected and their views heard. Advocates explain the views and needs of children and young people to decisions-makers and help them to get their rights met and to navigate their way around the decision-making process. Advocacy is about children's rights and safeguarding. In 2000 the Waterhouse Report, *Lost in Care*, was published. The report looked into the abuse of children and young people looked after in state care in North Wales, and amongst its recommendations were for the establishment of independent advocacy services.

During the Third Assembly term, the NAFW Children and Young People Committee published a report with 12 recommendations following its inquiry into '[Advocacy Services for Children and Young People](#)' (March 2008). The Committee subsequently published a follow up report, '[Scrutiny of developments in the provision of advocacy services to children and young people in Wales](#)' (May 2009) with 5 further recommendations. In June 2010, further oral evidence was taken from key stakeholders with a report from this third inquiry, '[Further review of developments in the provision of advocacy](#)

[services to children and young people in Wales'](#) published in September 2010 with 13 recommendations.

Six years later, and following the establishment and dissolution of several Welsh Government established stakeholder groups, new legislation, independent reports and Children's Commissioner led enquiries with recommendations<sup>1</sup>, we believe that the time is now right for the new Children, Young People and Education Committee to review 'progress' on some of the previous recommendations, whilst taking into consideration the new legislative landscape and the developments taken forward since the previous inquiry.

**We would therefore support the Committee conducting an inquiry into advocacy provision for children and young people in Wales.**

The inquiry could consider including a review of the following key areas -

✓ **Commissioning arrangements: National Approach to Statutory Advocacy.**

Following concerns raised by external stakeholders, the Committee previously made a number of Recommendations in respect of commissioning arrangements for independent statutory advocacy services, and called for the Welsh Government to review existing arrangements and consider if '*a national model would be a better way forward*'<sup>2</sup>. A Business Case from the programme of work to develop the key components of a National Approach to Statutory Advocacy, which included the 'Active Offer' proposal, was completed in November 2015, yet we are increasingly concerned by the continued delay in agreeing and implementing the outcomes from this work. We have recently called for the work already achieved on the National Approach to now be applied to structuring a National Commissioning model for Statutory Advocacy Services. **We would therefore support the Committee reviewing progress on the implementation of the National Approach as a key component of its inquiry into advocacy provision for children and young people in Wales**

✓ **The role for advocacy in responding to the Concluding Observations of the United Nations Committee on the Rights of the Child**

On the 3 June 2016, the United Nations Committee on the Rights of the Child issued a series of [Concluding Observations](#) to the UK and devolved

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<sup>1</sup> Missing Voices: A review of independent professionals advocacy services for looked after children and young people, care leavers and children in need in Wales (2012); Missing Voices, Missing Progress; Missing Voices: Right to be Heard

<sup>2</sup> ['Further review of developments in the provision of advocacy services to children and young people in Wales'](#)

governments which set out ways in which they can better meet their obligations in respect of implementing the UNCRC. The UN Committee made a number of Recommendations in respect of

**Mental Health** - The Committee was particularly concerned at the challenges faced by many children and young people, including those at greater risk and children in care, when seeking to access preventative mental health services. We are particularly concerned about those children not eligible for CAMHS but have issues which require intervention to help prevent matters escalating. Ahead of the UN Committee examination, there were calls from the 4 UK Children's Commissioners and Non-Government sector representatives for legislation to be in place to ensure that looked after children and care leavers have an automatic right to an assessment of their mental health needs. There could clearly be a role for advocacy to help support and empower young people to help prevent ill-health, and to help access services where this was deemed necessary to improve the mental wellbeing of children.

**Refugee, Asylum Seeking and Migrant Children** - The UN Committee made a number of Recommendations in respect of asylum seeking, refugee and migrant children (pp20-21) which could help inform the basis of an inquiry into advocacy. In relation to advocacy support, the UN Committee were concerned to learn that there are still no advocacy services for asylum seeking children in Wales despite a previous commitment by the Welsh Government to put in place sustainable advocacy provision, and developments witnessed in other parts of the UK. In the 2014 Refugee Action Plan there was a clear commitment to delivering sustainable advocacy provision to support both UASC and age disputed (0-25) children and young people. In the consultation document prior to the recently released Welsh Government Refugee and Asylum Seeker Delivery Plan there was a commitment to *'explore the need for a Guardianship model for Wales...'* (which appears to have disappeared from the now published final Plan). The UN Committee has once again repeated its previous call back in 2008 for there to be **'statutory independent guardians for all unaccompanied and separated children'** – raising concerns over the lack of support for, and increased vulnerability of this group of children and young people.

**Advocacy Helpline** – The previous Committee inquiry into advocacy services recommended that the *'Welsh Government should involve children and young people in developing a free advocacy phone and text service for children and young people...this service should be 24 hrs a day'*. A number of member organisations of the All Wales Children & Young People's Advocacy Providers Group formed the Cywaith Consortium to develop and manage the new 24hr MEIC Helpline for all children and young people across Wales until March 2016. However, whilst this vital service is still in place both to signpost young people

entitled to statutory independent advocacy support and to provide universal formal advocacy, funding for the contract has been reduced in addition to a reduction in the direct hours of its operation.

We would also suggest that the committee consider

- ✓ The situation of Visiting Advocacy in the Independent Residential Units and Schools in Wales
- ✓ Access to independent advocacy for children who go missing prior to being returned to their home or residential placement.
- ✓ The impact of Part 10 of the Social Service and Well-Being Act (2014) on extending the reach of advocacy services for children and young people beyond those listed as part of the 'eligible groups' category

Composed and submitted by Children in Wales in partnership with, and on behalf of, the Children in Wales All Wales Children & Young People's Advocacy Providers Group.