

Children and Young People Advisory Group Meeting

Video Conference Meeting: 19 November 2020

Present: Colin Mckay, Karen Martin, May Dunsmuir, Jackie McRae, Aileen Bowler,
Secretariat: Nicola Paterson

Apologies: EJ Carroll & Kathleen Taylor.

Stakeholder Engagement

Colin informed the group about the stakeholder engagement proposal for the next phase of the review. This included reviewing a database of stakeholders.

Evidence Sessions

The group discussed the recent evidence sessions. It was clear that everybody understood their own areas of specialism, in relation to Mental Health Law, very well. The sessions did highlight however that there were some misconceptions about how other areas operated and their duties and responsibilities in relation to this.

Independent Care Review

The group discussed the reports from the Independent Care Review and the following points were highlighted.

- Rules document says there needs to be a wholesale review on the C&YP.
- As far as C&YP the UNCRC should be the umbrella.
- C&YP should be stripped back to allow a more simple version

The impact of not understanding the full landscape and how other areas operate has resulted in the 'patchwork quilt' approach to care. Children want to be seen as individuals – and it was suggested that the only way to achieve this is to find a way to force us to consider the need to merge all C&YP legislation in our approach.

The value of the Mental Health Act was acknowledged - recognising that treatment begins as young as necessary to as old as necessary. It was agreed however, that this on its own is not going to be enough.

People are rarely aware of their rights and this is because the law is unnecessarily complex.

The review needs to be ambitious and creative to ensure success, asking ourselves the question; what kind of mental health act do we want to see at the end of this?

It was agreed that at the core of any changes should be about empowering children to be decision makers.

The following points were also discussed;

- Bringing 16/17 into the hearing system on welfare grounds. Concerned about what those might be.

- Consideration of the volunteer model
- Taking a holistic approach to the restricting, controlling, detaining and general treatment of young people.
- How can we show that consideration is given and that decisions are taken by people who are well equipped to do so, looking at the whole range of options, tailored to the child's needs.
- Looking at the child's needs and the ability of the family to meet those needs, where that support should take place and whether educational support might be beneficial.
- At the moment it appears that we've got very different kinds of decision-makers taking a very different specialist approach
- Children should be given the correct treatment with the correct system and not just fall into any system by mistake or by the agencies preference whether due to lack of services or waiting lists.
- It's Important to recognises children and their understanding of their rights.

Interim Report Short Paper

- Deadline by the end of November to have a draft.
- Envisage that publication will be by the end of December
- This will be shared with members of the group and Executive Team for comment before sending to the Chair.
- This will include setting out a direction of travel that we think we can take forward.