

Minute of the Children and Young Persons Advisory Group Meeting

6th May 2020

Present: Colin McKay, Karen Martin, Rebecca, May Dunsmuir, Aileen Blower, Kathleen Taylor

Secretariat: Adele Farwell, Nicola Paterson, Simon Webster

Via MS Teams

Reference Groups

CM gave an update of the Practitioner Reference Group. Among the issues noted at this discussion was a concern about disengagement between mental health services and Child and Family Social Work.

The group were updated on the Lived Experience Reference Group, and confirmed it did not include representation from young people. It was felt that there was a need for a lived experience group for children, adolescents and their carers. This should involve advocates to support the participants in advance of and during the meetings. It was agreed that participation and support for participation were important. There was general support for the idea, and a number of routes were suggested..

SW set out his plans to map out what UNCRC and CRPD require against the current legislative framework, building on what was in the interim report. The UN Committee had commented on some specific issues including children in adult wards and restraint. There were potential tensions between the two Conventions, including on the relevance of capacity, how the paradigm shift of the social model of disability should apply to children, the use of Best Interests, and the framework for equality. The intention was to map out where action may be needed to comply fully with the Conventions, not to prescribe the solutions.

JM suggested looking at the duplication of different frameworks for intervention and planning, and the use of detention and restraint in non-mental health settings

Noted that in some issues such as children in adult wards it was difficult to have an absolute prohibition where there may be no realistic alternative. The human rights issues might be less about making certain practices unlawful but ensuring intervention at a systemic level where services were not age-appropriate.

Mapping Judicial Frameworks

CM and JM spoke to the short paper which had been circulated, in advance of a meeting with Scottish Government officials which we hope will happen very soon. The aim is to agree how to hold further and deeper discussions around possible solutions to the silo based nature of the different legal frameworks.

It was urged that we also consider the potential downsides of unpicking the 2003 Act, which was a precise law for a precise purpose. It was important to have a sound framework for supporting people with severe mental illness, and not to lose that issue in a wider focus on wellbeing. We should also remember the importance of

people growing up with a mental illness and the problems of transition, which is already difficult even with unified legislation.

Royal College of Psychiatry Case Studies

Agreed that we should proceed with an event with the RC Psych Child and Adolescent Faculty based on the vignettes we had developed.

This work would come back to this sub-group rather than the Reference Group at this stage, but it was agreed we should also use the vignettes to spark discussion with young people and families, to see how similar or different their perspective might be on problems with the current law.

Stakeholder Engagement

CM confirmed that we were discussing a questionnaire with the Royal College of General Practitioners, a link to which could be sent to all GPs as part of their regular blog.