

Editorial

*For oft, when on my couch I lie
In vacant or in pensive mood,
They flash upon that inward eye
Which is the bliss of solitude;
And then my heart with pleasure fills
And dances with the daffodils.*

(From *Daffodils* by William Wordsworth)

As I write, I am looking out on an unseasonably warm and cloudless day in Glasgow. I don't claim much skill as a gardener, but I have filled every vacant space in my garden with daffodil bulbs, and I eagerly look forward to the mood-changing power of those yellow flowers as they dance in the breeze.

Mood-changing power is the theme of the moment. Earlier this month - on 1 April 2015 - most of the provisions of the [Children and Young People \(Scotland\) Act 2014](#) became law. While the Act has provisions which affect all children in Scotland, including the requirement for a 'named person' to provide a single point of contact for each child in the country (a provision which has not been universally welcomed), it is the sections of the Act that have implications for 'looked after' children in particular that will be of most interest to readers of the Journal.

It was the power of the testimony of looked after young people themselves that was deployed so impressively during the passage of the Bill. The Scottish Children's Coalition, led by advocacy charity [Who Cares? Scotland](#), promoted a consistent and forceful message about the importance of listening to people in care. The effectiveness of their *Continue to Care* campaign targeting amendments to the Bill was recognised in several high-profile awards, including public campaign of the year in *The Herald* newspaper's Politician Awards 2014. Care leavers themselves made highly effective representations in the Scottish Parliament, and used social media to considerable impact. The New Zealand government has shown interest in this experience and invited Who Cares? Scotland's chief executive to join an 'independent expert panel' aimed at overhauling its Child, Youth and Family agency responsible for child protective services. The new Scottish Act introduces two important provisions. First, looked after young people in residential, foster or kinship care at age 16 will be entitled to remain in their care placement until they reach the age of 21. Second, all looked after children, including those on home supervision orders, will be entitled to request that their local authority provides support until they reach age 26, allowing 'care leavers' to transition into independent living at a pace which suits them.

In a further provision, the 2014 Act elevates corporate parenting responsibilities to a statutory level, and gives duties to public bodies, including local authorities, police, health boards, post-16 education bodies and Children's Hearing Scotland, to work together to enable looked after children to overcome barriers and achieve their best. It is clear that there is much work to be done, not least among young people themselves, to ensure that the statute becomes meaningful. A [survey conducted by Who Cares? Scotland](#) found that one third of young people responding were confident about what a corporate parent

is, while 80% said they didn't understand what new duties in the Act will mean for corporate parents and how they will better support young people with care experience.

Readers interested in the detail of the new provisions will find more explanation in the *Inform* series of guides published on the [CELCIS website](#). Meanwhile, the editors of the SJRCC look forward to receiving research papers and practice articles for peer review on topics related to continuing care, leaving care and corporate parenting.

Another topical matter which caught this editor's attention was judges' decision on an appeal heard in the Court of Session in Edinburgh. The [Court of Session](#) is Scotland's supreme civil court. The appeal decision had the effect of overturning a previous ruling made by a sheriff (judge) in a case of contempt of court brought against two social workers in Edinburgh [Sheriff Court](#). In a highly unusual step, criticised as inappropriate by the three judges hearing the appeal, the sheriff had instituted contempt of court proceedings after a social worker, supported by her manager, had taken a decision to end all contact between two children and their birth mother which, in their professional opinions, and in the opinion of the child's foster carers, was detrimental to the children's wellbeing. The sheriff's ground for conducting a trial was her view that the court had been disrespected, because the social workers had contravened a previous decision in which the same sheriff had approved the birth mother's appeal to the court to increase contact from monthly to weekly.

It is not appropriate to go into detail about this case here, and readers are referred to both the [sheriff's original judgment](#) and the [appeal judges' judgment](#).

There are several features of this case which nevertheless invite comment. One is that both decisions attracted little attention in the mainstream press, despite their unusual nature and the relative interest in matters affecting children in the Scottish media, since this is a major portfolio in Scotland's devolved government. One notable exception is the online magazine *Scottish Review* which has taken a special interest in this particular case and published two separate commentaries following the appeal court decision in [March](#) and [April](#) 2015. Another is the potential effect of the personalising of perfectly proper professional debate about a parent's access to children taken into care. The appeal judgment noted: 'There will always be room for a reasonable dispute or difference of opinion on such an issue, and the court must be careful to avoid an overly protective attitude towards its own earlier decision. The court should also be sensitive to the difficult situation in which these, and no doubt the other social workers involved, were placed'. A further feature is the role of the lay tribunal, the [Children's Hearing](#), in making and reviewing decisions about children in distress. The editor of *Scottish Review* highlighted for criticism two particular features of the Hearing system which deserve further consideration. One is the time which elapsed between successive panels (constituting three trained volunteer members of the community advised by a professional, known as the [Reporter](#)) considering the same vital aspect of the children's care (three weeks elapsed at one stage); the other is the different composition of the membership of panels dealing with the same case, an inconsistency which *Scottish Review's* editor described as the: 'absence of any consistent body of knowledge [which] increased the likelihood of bad decision-making'. The editor of *Scottish Review* felt that the Hearing system is in crisis. This writer will leave it to others better informed to make observations on that serious claim, but it does seem that the two particular problems

identified above are more organisational than philosophical and could be addressed relatively easily.

Turning to the current issue of the Journal, the first of the 2015 volume, we publish two peer-reviewed articles, two short reflections on aspects of practice, the first article in a new category which is intended to highlight the basis for doctoral research, two book reviews, and a note of the highlights in the recently published Scottish Government 'Children's Social Work Statistics 2015 (incorporating the Children Looked After Statistics)'.

The article which opens this issue, 'Inclusion of Looked After Children in Education' by Claire Leslie and Azra Mohammed, reports on empirical research carried out by educational psychologists in a Scottish local authority. Applying qualitative analysis and sociocultural theory the authors conclude: 'Anyone who is directly or indirectly involved in a looked after child's life should be aware of how their own role and actions influences outcomes, for example, those who deal with financing, transport, placements or schools dinners.' Their research summarises what works 'in helping this vulnerable group to experience success and inclusion in schools'. Their list of eight ideas for practice includes: 'Ensuring looked after children are part of the local community they reside in, giving careful consideration to placement at their local school'.

The second peer-reviewed article in this issue, 'Children's Hearings, Residential Childcare and Professional Education' by Raymond Taylor, Malcolm Hill and Ian Milligan, 'critically examines the changes that have taken place to the education and training of residential childcare workers' since the Kilbrandon report of 1964. The authors note that: 'Recent research on the Hearings system has for the most part had little to say about residential childcare whilst much Scottish writing about residential care makes little mention of Hearings'. The paper is set within the context of changes to Scotland's Children's Hearing system following the introduction of the Children's Hearing (Scotland) Act 2011 and discusses developments in the education of residential child care workers, and particularly the influence of social pedagogy, which the authors regard as being consistent with Kilbrandon's original vision of 'social education'.

In our first short practice article 'Helping Children in Care Cope with Loss and Change - Nature's Way,' Caroline Jay says that: 'so much in nature echoes the changes that happen in life. None of us can live life without change. For children in residential care, however, change can come to mean catastrophic and therefore often unmanageable loss, thus making all forms of change a potential threat'. Caroline explains how her observations allowed her to devise activities designed to help children struggling with loss and change, published as the Seeds of Hope Bereavement and Loss Activity Book (Jessica Kingsley, 2014).

The second practice article in this issue, 'Social Enterprise: An Appropriate Model for a Child Care Organisation?' By Graham Bell and Lesley Fuller, outlines the journey taken by Kibble Education and Care Centre to change from a traditional grant-funded charity to become a social enterprise. They conclude that: 'Well run social enterprises offer the child and youth care sector a model that brings in strong business disciplines while

retaining at their heart the passion and purpose essential for the work we are committed to’.

The previous issue, in December 2014, was a special issue commemorating the 50th anniversary of the Kilbrandon Report, the report which led to the creation of the children’s hearing system. Following publication, the organising committee for the annual commemorative Kilbrandon Lecture offered *SJRCC* the opportunity to publish the transcripts of future lectures. In this issue, we are therefore pleased to include David Hope’s 12th Kilbrandon Lecture, Remembering Lord Kilbrandon, given at the University of Strathclyde on 27th November 2014.

In presenting the penultimate article in this issue, we introduce for the first time a new category to showcase the conceptual underpinning of doctoral level studies in the fields of residential child care, child and youth care and related areas. In the first article of this kind, Heather Modlin of Key Assets, Newfoundland, Canada explains her interest in the various ways in which child and youth care workers experience their roles. Heather’s research in Canada, Scotland, Ireland and the United States is focused on: ‘the use of constructive-developmental theory as a framework for identifying and assessing the developmental levels of child and youth care staff in residential care and interpreting their experiences through a constructive-developmental lens’.

The editors of *SJRCC* are keen to publish more discussions based on doctoral studies in future issues and will be happy to discuss ideas with authors. We are restricting this facility to doctoral candidates only until we have a better idea of the level of interest; we may extend the opportunity to master’s level students in future. The idea is to encourage discussion and debate, and for advanced students of residential childcare, wherever they are living, to identify others carrying out similar or related work. The Journal will continue to encourage all students, or former students, at any level of study, to submit findings based on dissertations or theses as full-length research papers for peer review.

We end the issue with a brief account by Ben Farrugia of CELCIS, which presents highlights from Scottish Government’s most recent statistical report on looked after children. The report shows the fall in the total number of looked after children, for the second year running, reversing a trend of increasing numbers which begun around 2002.

Two books are reviewed in this issue: *Empathic Care for Children with Disorganised Attachments: A Model for Mentalizing, Attachment and Trauma-Informed Care* (reviewed by Nicola Kieran of Action for Children); and *Redirect: The Surprising New Science of Psychological Change* (reviewed by Marijn Somers of University Colleges Leuven-Limburg, Netherlands).

Finally, the editors thank all our contributors, peer reviewers and editorial board members. This is the second year in a row in which we plan three issues of *SJRCC*. Issue 2 of 2015, due out in early September, will be a themed issue on leadership and management, guest-edited by Professor Leslie Hicks. It will also contain a report of the *SJRCC* Conference 2015 in Glasgow (9-10 June). Plans for improving the *SJRCC* include a new website, with opportunities for continuing debate through blogs and social networking. We appreciate the loyalty of our readers and welcome anyone who has only

just stumbled over us. Like Wordsworth, we wish your 'heart with pleasure fills and dances with the daffodils'.

Graham Connelly

Joint Editor

Reference

Jay, C. (2014). *Seeds of hope bereavement and loss activity book: Helping children and young people cope with change through nature*. London: Jessica Kingsley.