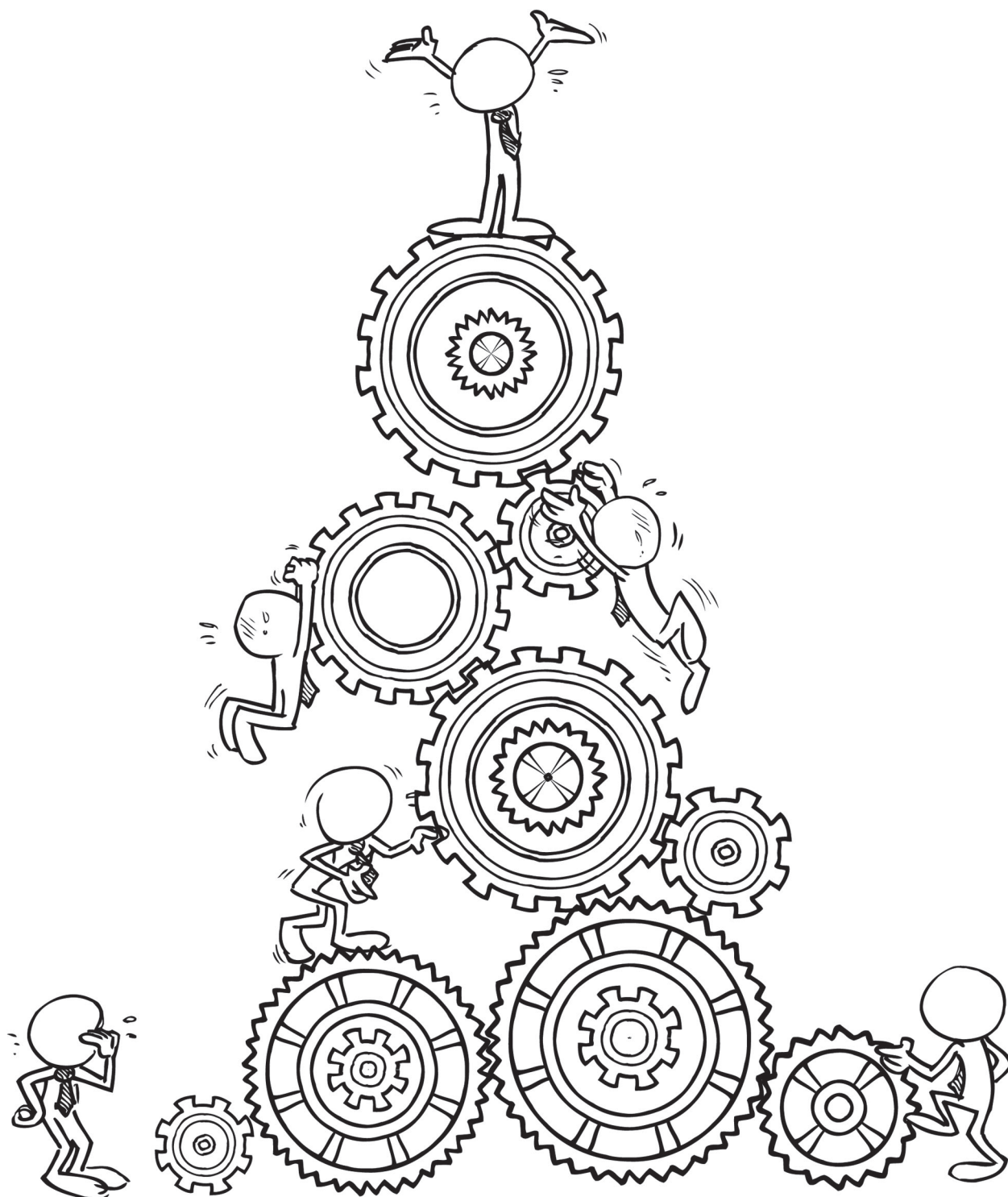


About Advocacy

The Scottish Independent Advocacy Alliance Magazine

Summer 2015



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Editorial

Welcome to the summer edition of the About Advocacy Magazine which is packed with a range of informative and thought-provoking articles.

Positive Prisons? Positive Futures write about their aims to improve the Scottish criminal justice system. The National Confidential Forum tell us how people can share their experiences of institutional care to help make positive changes to child care provision in Scotland. Find out more from the National Involvement Network about their Charter for Involvement. CEARTAS Advocacy share their experience of winning the Principles into Practice Award.

Read about the success of Phase 1 of the Families at Risk project and the project aims for Phase 2. Check out the article by Heather Baillie from the Mental Health Tribunal Scotland regarding advocacy and how it can support people through the tribunal process. Finally meet Kate Fearnley the Executive Director for Engagement & Participation at the Mental Welfare Commission, who talks about her new role.

Kiren S. Zubairi

Next issue:

Please contact Kiren.Zubairi@siaa.org.uk if you have content for a future edition.

Thank you:

The SIAA would like to thank all the individuals who have contributed to this magazine.

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Disclaimer:

The views expressed in this magazine are those of the individual authors and should not be taken to represent those of the Scottish Independent Advocacy Alliance.

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An electronic copy of this magazine can be downloaded from our website: www.siaa.org.uk.





Edna Sim, Intern

Research

We are delighted to be welcoming two more Research Interns, who have joined us over the summer. Stefanie Murr will be looking into the impact of independent advocacy for people with addiction issues; Edna Sim will be researching the support of independent advocacy for carers. We are grateful to those advocacy organisations that have been in touch offering to help identify advocacy partners who may be willing to take part in these studies. These reports should be completed late summer, meanwhile we will be delighted to hear from anyone who could identify potential participants.

We will be sad to be saying goodbye to the two interns who have been with us since January. Karolina Johannesson has been working on research into the impact of collective advocacy. Her final report will be ready soon so watch out for the launch. Once again we are grateful to all those member organisations that have supported this project. Finally we will also be saying farewell and good luck for the future to Vincent Milligan who has been working with us on a marketing and communications strategy.

SDS Project

By the time this edition of About Advocacy is sent out the final event of the SIAA Advocacy



Stefanie Murr, Intern

and the SDS project will have been completed. This event titled, *Independent Advocacy – Supporting the SDS Journey*, is aimed at advocacy organisations and advocacy workers. It plans to offer opportunities to exchange experiences and local variations in roll out of SDS and to share stories and advocacy practice issues. A full report on the event will be published later in the year.

Mental Health Bill

The Mental Health (Scotland) Bill is currently making its way through the Scottish Parliament. We have been working with a number of organisations on Section 259 of the Mental Health (Care & Treatment) (Scotland) Act 2003 to ensure effective levels of planning and provision of independent advocacy in all areas of Scotland.

At time of writing the Bill is going through Stage 2. A number of amendments have been tabled including some by Dr Richard Simpson MSP with the aim of improving the voice of patients in treatment; he has stated that he particularly wants to see the role of independent advocacy increased and strengthened within the system.

Shaben Begum
Director



"A Positive Prison? Positive Futures group meeting where there is never an Elephant in the room..."

Positive Prison? Positive Futures

Jim Watson, Communication and Information

Positive Prison? Positive Futures is a community of people with shared experience who are trying to improve the effectiveness of Scotland's criminal justice system to reduce the harms caused by crime and to support the reintegration of those who are or have been subject to punishment.

The organisation started after a chance conversation that Pete White, National Coordinator and Founder, had whilst asking for money for a housing project he was working on. They had approached the Robertson Trust for money and Pete felt it was only right to tell them that he had previously been inside for embezzlement. This started a conversation that ultimately led to the formation of our group. It is also worth noting that he got the money for the housing project! We aim to work with people who are or have been subject to punishment to re-establish and secure their citizenship.

We will use our collective experiences, skill and commitment to push the following items as part of our strategic agenda:

User Voice:

Identify and develop means by which people who are or have been subject to punishment can effectively share their experiences with and

influence those who commission design, deliver and/or evaluate services and programmes intended to reduce offending and reoffending in Scotland. This is the very essence of coproduction.

Personal and Social Development:

Support the appropriate training and development of people who are or have been subject to punishment, so as to enhance their wellbeing and to help them realise their potential and enjoy their rights as citizens.

We currently have a mentor training programme and are looking to develop other opportunities for those who volunteer or work with us.

Partnership:

Work with others similarly committed to improving the effectiveness of Scotland's criminal justice system. We are a very small organisation and realise that we cannot do it all on our own.

Localism:

Support local initiatives consistent with our aims, where opportunity and need coincide.

It is recognised that the needs of people leaving HMP Inverness will be different from those leaving HMP Greenock.

Public engagement:

Play an active part in public debate about crime and punishment, drawing on our lived experience. We have lectured at Universities, taken part in conferences and briefings and taken any other opportunity to explain our mission.

So how, in effect, do the above strategic imperatives translate into operational realities?

At this point in time we take part in 14 different Government and Scottish Prison Service groups and work streams. We use these opportunities to bring the voice of the people we seek to represent into the discussions to ensure it is heard and taken into account at the most appropriate and effective levels.

We are in the process of establishing a Cross Party Group in the Scottish Parliament on Justice Reform. We believe that this is one of the great paradoxes of the criminal justice system - politicians are looking for votes and will therefore back policies that appear to be harder on crime.

The greatest accusation against any politician is that they are soft on crime. However, they are also the ones who set the law and policy in this important sphere and taking the party politics out of that process can only be positive. The Cross Party Group would offer the opportunities for discussions with evidence based information and not the needs of parties caught up in an electoral cycle. Discussions are still at an early stage but we have been impressed by the support and encouragement we have received.

We hold group meetings every 6 – 8 weeks. This allows our core activists to get together to discuss how things have been going, to look at where things should be going and to address any other issues. It is often a very isolating experience when you are released and these meetings can help reduce that feeling.

We are joined in the afternoon by other groups, organisations and individuals who are attuned with our objectives. These meetings are facilitated as a version of the Open Space approach. There is no formal agenda at the start but one is generated through the core activist discussions. The topics identified are then discussed in small groups.

Our recent meetings have been focussing on the language used in the criminal justice system. We were approached by the Deputy Director of the Community Justice Division within the Scottish Government to explore and find a new approach to describing people who have been through the system in a more positive manner that moves away from the labelling of ex-offenders. It is hoped that the result of this will be used in Ministerial speeches and within Government publications.

Ultimately we would like to put ourselves out of business but that is still some way off...

Further information is available at
www.positiveprison.org



National Confidential Forum

Be Heard and Make a Difference

The National Confidential Forum

If you were in institutional care as a child in Scotland, this is your chance to be heard.

The National Confidential Forum (the Forum) is inviting people who spent time in institutional care as children to come forward and share their experiences, whatever they are.

The Forum provides a safe environment for people to share their experiences. The Forum will listen, understand and acknowledge these experiences in a confidential and non-judgemental way.

Individuals can share their experiences with the Forum in a way that is best for them. Experiences can be shared at a hearing, face to face, with two Forum members or by written or recorded account. Those attending the Forum can bring up to two people for support at their hearing.

Forum members will accept and value what someone tells them and will treat them with respect and dignity.

The names of those who take part will not be mentioned in any reports made by the Forum.

Sharing experiences can be therapeutic and importantly, the information given by those who participate will contribute to making positive changes current and future to child care in Scotland. By telling the Forum what it was like to be a child in care in Scotland, those who take part can help to build a picture of the legacy of institutional child care in Scotland.

Anyone who spent time in institutional care as a child in Scotland can come to the Forum. Individuals applying to the Forum must be over 16 years old.

Institutional care is an umbrella term which means residential care or health service and could be run by a local authority, health board, a private provider or a charity. There are many types of institutions, including children's homes, children's hospital wards and boarding schools; the Forum's work does not include foster care or kinship care

Individuals can apply to the Forum by completing an application form online, by post or by phone. The Forum has set up an independent advice and guidance line that individuals can contact if they want to discuss what coming to the Forum may mean for them. This advice and guidance line is run by trained counsellors and can be used at anytime throughout the process, even after they have attended the Forum. Details of the advice and guidance service can be found on our website

The Forum's Support staff will contact individuals who wish to come to the Forum through their preferred method to discuss arrangements. They will provide support on the day and can give information about sources of advice and guidance before and after taking part in the Forum.

It may be that individuals need support from independent advocacy services to apply to the Forum or support to understand what they do. As part of the Forum's duty to signpost individuals to relevant services, they can direct someone to independent advocacy services. For some independent advocacy will be invaluable in assisting individuals to say what they want to the Forum.

"Forum members will accept and value what someone tells them and will treat them with respect and dignity."

"Advocacy will be invaluable in assisting individuals"

You can find out more about the National Confidential Forum at **www.nationalconfidentialforum.org.uk/** or by contacting the Forum's support staff on: **0141 352 2333**, freephone: **0800 121 4773**, email: **information@nationalconfidentialforum.org.uk**



Some examples from the Charter for Involvement

Charter for Involvement: Renewing the Call for Inclusion and Respect for People who Receive Support

Paddy Carstairs

January 2015 saw the launch of a new Charter for Involvement, published by the National Involvement Network (NIN).

The Charter is unique because it includes the genuine voice and thoughts of people supported by social care organisations.

It sets out in their own words the support and opportunities people want from their service providers and those who plan and organise their support.

NIN is a growing network of people who receive support from social care organisations across Scotland. Operating since 2007, it provides members with the opportunity to share ideas and experiences about what it means to be involved and have a say on things that affect them.

17 organisations currently support people to be involved in NIN which meets 5 – 6 times per year and plans various activities. NIN is supported by the Association for Real Change (ARC) Scotland. The Charter for Involvement was first published in 2009.

It explained how people wanted to be more involved in the organisations that provided their support. The Chief Executives or leaders of 25 social care organisations signed up to the Charter. This declared their commitment to putting the principles in the Charter into practice.

Following an evaluation in 2012 NIN decided to revise the Charter. The new version adapts valuable lessons from the original one, and has been updated to include new areas of social care, in particular Self-directed Support.

The Charter comprises 12 Statements on how people want to be supported and how they want to be involved. For example:

“We have the right to live our lives independently.”

“We want to be involved in choosing the people who support us.”

“We must be able to speak about how our support is working for us and what would work better.”

“We want to be involved in decisions made by the organisations that plan and run our support.”

Each Statement is followed by a description of what the Statement means and how it can be put into practice.

A special celebration of the publication of the Charter was held in the Scottish Parliament in January. The event was sponsored by Jackie Baillie MSP, the Convener of the Cross Party Group on Learning Disability. NIN members gave presentations to show why they had written the Charter and what they hoped to achieve. A short film was premiered in which NIN members spoke of the types of things they are involved in and the importance of being involved.

Speaking at the event, Jamie Hepburn, Minister for Sport, Health Improvement and Mental Health congratulated the NIN for its hard work in getting the Charter published. He said -

“The Scottish Government is committed to a fairer, more equal society where participation, fairness and prosperity are 3 key priorities. The Charter for Involvement is a great example of how things can be achieved and help people become more involved in things that affect their lives”

The Minister commented on how the Statements in the Charter equated with the principles of involvement and human rights in the Keys to Life, the Government’s strategy for people with learning disabilities.

Mr Hepburn encouraged all organisations, NHS and local authorities to sign up to the Charter. He added “but more important than the act of signing up to the Charter is that organisations make the changes necessary to make the Statements in the Charter happen.”

Since its launch, the Charter has been promoted at events in different parts of the country, and demand for copies has been high. 7 more organisations have signed up to the Charter, and the Charter was promoted at an event in Kilmaronock co-hosted by the NHS Ayrshire & Arran Community Learning Disability Team.

NIN Chairperson Lynnette Linton said “the main message of the Charter is that people want to be listened to and respected. We hope now that the Charter has been published more people who receive support will learn about it, and more organisations will sign up to it.” NIN is particularly keen that Councils and NHS Boards sign up and endorse the Charter.

NIN member Alan MacKenzie, who is supported by St Joseph’s Services in Midlothian said, “when I first started going to the NIN meetings I had no idea what the Charter was about. Now I understand it I can see how important it is. It is our voice, saying what support we need to be involved.”

Copies can be ordered from ARC Scotland at **arc.scotland@arcuk.org.uk**
They can also be downloaded from **www.arcuk.org.uk/scotland/charter-for-involvement**



ABI Café

CEARTAS: Principles into Practice Awards

Sharon Bairden, Services Manager, CEARTAS

Ceartas service users and staff were thrilled to be shortlisted for the Mental Welfare Commission's Principles into Practice "Service User Participation and Influence" People's Choice Award earlier this year and were delighted on the day of the event to be announced as winners of the award.

Ceartas provide independent advocacy for individual's over the age of 16 living in East Dunbartonshire. In addition to individual advocacy Ceartas are also renowned for offering a variety of routes into advocacy and opportunities for people who use the service to be involved in its development and delivery. This is achieved through a number of user involvement groups (Still Game; ABI Café; De Café; A-spire and Adult Support and Protection Involvement Group). Each of these groups allows individual's the chance to meet others in similar situations, access advocacy, maintain a contact

with the service when they do not need individual advocacy support and to collectively influence decision making at both an organisational and local level.

"It's about involving people, not telling people, having people at the heart of the organisation"

Gordon, CEO

For the purpose of the PIP awards we focused on the work of our ABI Café – a group for people with acquired brain injury which we run in partnership with Headway Glasgow. ABI café brings individuals together on a monthly basis where they offer one another mutual support; share their experiences of ABI; decide on the events programme for the group and hold an annual Brain Injury Seminar. Individual's from ABI



Principles into Practice Awards



café are also involved in our Service User Forum which meets with Ceartas directors to help shape and influence the development of our service and some are also involved in giving presentations about acquired brain injury and the benefits of advocacy to a number of other groups.

"Ceartas made a huge difference"
Helen, group member

"It's nice to have other people who have gone through similar things" Gillian, group member

Winning the Service User Participation and Influence award was a great boost for all our service users, staff and trustees. We felt it gave recognition to all the hard work that everyone

puts in to make sure that people who use our service are at the very heart of what we do.

"I am proud to be a part of an organisation that is determined to make a difference; winning this award is the recognition that our service users and team deserve" Sharon, Services Manager

For more information about projects at CEARTAS please visit their website
www.ceartas.org.uk

Families At Risk

Muriel Mowat, Operations Manager, SIAA

The Scottish child protection and hearings systems are key elements of a complex system that aims to ensure children and young people are cared for, protected from harm and have their needs met. The Scottish Independent Advocacy Alliance was aware that its members were receiving increasing numbers of referrals for such advocacy, which is not widely available for children, young people or parents in Scotland.

Funding was secured for a project to increase the quality and quantity of independent advocacy available to these 'families at risk'.

The project aimed to:

- Improve capacity of advocacy organisations to provide high quality advocacy to children and young people and families at risk.
- Improve awareness and understanding of and confidence in independent advocacy amongst professionals working with children and young people and families at risk, including social workers and relevant others.
- Improve awareness of independent advocacy including the value and impact of independent advocacy amongst commissioners.

Phase 1 of the SIAA Families at Risk project came to an end on 31st March 2015. In January 2015 Animate Consulting was commissioned to carry out an independent evaluation of the project.

The findings showed that the project had been of real value and is likely to have a long term impact for independent advocacy in relation to families at risk.

Families at Risk: Guidelines for advocates were developed with input from independent advocacy organisations and professionals working within child protection.

These were published in 2014 and sent to all advocacy organisations across Scotland. Feedback has been very positive.

"It makes me feel more confident that we have everything in place and definitely would influence my decision on becoming involved with situations where there was an option for us to step back, or step in."

Advocacy Worker

“It’s our bible of guiding us through the complexity of the system. We have actually used it to the advantage of the client in some cases to submit appeals on the basis of ‘technicalities’ ignored by the Children’s Hearing Panel”
Advocacy Worker

The evaluation found clear evidence that the provision of training to 119 delegates from 21 organisations has improved the capacity of advocacy organisations, and individual advocates, in this area. The training was well received and also received much positive feedback.

In addition to the Guidelines the project included the development of well-designed leaflets, posters and a briefing for children’s hearings panel members. Demand for the leaflets and posters have been brisk, the Care Inspectorate requested several hundred copies of the leaflets for use in staff training.

To date there is less evidence about whether the project has contributed to an improved awareness of the impact of independent advocacy amongst professionals working with families at risk. This is something that is likely to become more apparent over time as advocacy organisations see an increase in demand and also referrals for families at risk.

As Phase 1 of the project came to a close we were fortunate in being able to secure funding for a second phase.

A need that had become apparent during the life of the first phase was for increased awareness and understanding of independent advocacy for all involved in child protection processes and procedures. As a result it has been decided to produce an information resource in the form of a film to be aimed at a wide audience.

The initial planning for this was carried out with the help of a number of advocacy organisations with extensive experience in working with parents facing child protection proceedings.

These organisations have also helped in identifying parents who are willing to share their stories in the form of case studies. We aim to have as wide a range of stories as possible to help us reach the wide audience we aim for.

We plan to have the work on the film complete by the end of the year and aim to launch it early in 2016. Watch out for further updates on progress.

For more information regarding the Families at Risk project please visit the SIAA website: **www.siaa.org.uk/campaignsprojects/families-risk/**

Advocacy: Seeing Things from Another Point of View

Heather Baillie, Mental Health Tribunal for Scotland

The terms of section 259 of the 2003 Act make clear that 'every person with a mental disorder shall have a right to access independent advocacy'. This means the person does not need to be subject to compulsory measures to be able to access independent advocacy.

When I was asked to write this piece, I had just been involved in an Independent Advocacy Reference Group meeting where advocacy workers from different parts of Scotland have the opportunity to meet with members of the Mental Health Tribunal and discuss issues of interest and concern.

It struck me after the meeting that there is little opportunity for advocacy workers to obtain feedback from tribunal members about what has been helpful during the hearing and what could have been improved on. Having been involved recently in the training of tribunal members, I made sure that some of the concerns expressed at the Advocacy Reference Group meeting were passed on to members. I thought it might be useful to share some of the feedback from the training about advocacy practices that are helpful and endorsed by tribunal members as good practice.

The Mental Health Tribunal for Scotland endeavours to be person centred in everything that it does. One of the principles in section 1 of the Mental Health (Care and Treatment) (Scotland) Act 2003 (the 2003 Act) requires the tribunal to have regard to the present and past wishes and feelings of the Individual. The advocacy worker at a hearing can assist the tribunal to ensure that the person remains at the centre of the proceedings. They are most affected by the application the tribunal is being asked to consider and the tribunal must make every effort to find out what their views are.

How can an advocacy worker help make this happen?

A tribunal hearing can be daunting and the longer you remain silent in a situation that you feel intimidating, the more difficult it is to speak as time goes on. It is good practice to give the individual the opportunity to speak at the beginning of the hearing. The advocacy worker is there to support this and if they have been able to work in advance of the hearing there may have been the opportunity to prepare a written statement. This can be read out, used as an aide memoire or can be read out and lodged by the advocacy worker on their behalf to ensure that their wishes and feelings are known and considered by the panel.

“Advocacy is a valuable resource”

Sitting listening to a group of people talking about you, particularly when you are unwell, is not easy. The Convener should explain that if the person needs time out then the tribunal will take a break and allow them to gather their thoughts. If the Convener forgets to mention breaks then the advocacy worker has a role in ensuring that matters do not get to a stage where the person is distressed and no-one has noticed that they need a break. Ask in plenty of time. You are your advocacy partner's voice in the proceedings and if they need time out then the panel should be told so that they can have a chance to take some time out from the hearing.

What about other settings? Advocacy has a role in ensuring the advocacy partner's voice is heard in other settings. The terms of section 259 of the 2003 Act make clear that 'every person with a mental disorder shall have a right to access independent advocacy'. This means the person does not need to be subject to compulsory measures to be able to access independent advocacy. Advocacy can empower the individual to articulate their views on matters other than whether a compulsory treatment order should be granted.

The best advocacy supports the person with housing, benefits, access to education, employment and training, leisure activities and meetings with professionals involved in their care. The tribunal wants to have a picture of the person who is being affected by the application it is considering. Past and present wishes and feelings can include the individual's views about things other than the application. When the outcome of the hearing is not what the person wanted, it is important that they leave the

hearing room feeling that they have had a fair hearing irrespective of the outcome and their advocacy worker can make the difference by ensuring that their views are heard and taken into account.

Provision of services

Most advocacy organisations are small and not well resourced. They do a fantastic job with finite and limited resources. The provision of advocacy services is a precious resource. It should not be the subject of competition between organisations. Competitive tendering is labour intensive and a drain on the resources of the organisation. Choices should be made on the quality and appropriateness of the services to be provided, not just on cost. The tendering process appears to ignore the relationships, which have been patiently and skilfully built up over time with advocacy partner's in order to have their trust and confidence when providing support. This cannot be measured in a business plan but should be recognised as part of the process of selecting the most suitable organisation.

The Mental Health Tribunal Scotland has set up an Advocacy Reference Group to provide advocates and opportunity to give feedback.

If you are interested in attending the next Advocacy reference group meeting please contact Agnes Ferrie at the Mental Health Tribunal Administration at Hamilton on **01698 390012 to obtain details.**

Engagement & Participation: New Role at Mental Welfare Commission

Kate Fearnley, Executive Director for Engagement and Participation

I joined the Mental Welfare Commission in mid-February, in the new role of Executive Director (Engagement & Participation). The Commission exists to protect and promote the human rights of people with mental health problems, learning disabilities, dementia and related conditions.

The Commission has always been committed to participation. The importance of engaging people in decisions about their own care and support is at the heart of Scotland's mental health and incapacity law. The purpose of my post is to build on the work the Commission is already doing, improving the ways we engage with people who receive care and treatment, and with their families, partners and other carers. Working with advocacy will clearly be an important part of this.

We will shortly be recruiting for two part-time posts, a person with lived experience and a carer, who will help us to develop our networks. These two post-holders will help to ensure that the perspectives of people who are most affected are always central to our work.

At the individual level, part of the Commission's work is checking if care and treatment are lawful and in line with good practice, including by visiting people and asking them about their experiences. In the coming year we will help to guide our visits, and what we ask about, by meeting with groups of patients and people who use services and families and other carers.

I will also be looking at how we can raise awareness of the Commission's visiting work so that people better understand what we do.

Among my first year priorities will be developing a patients' rights pathway, which will help people understand their rights each step of the way.

I am also working with the Scottish Human Rights Commission, the Scottish Government and other partners to take forward Commitment 5 of the Mental Health Strategy, which is about increasing the focus on rights in mental health care. I will be leading a project to gather feedback from people with learning disabilities.

I will be reviewing our information materials aimed at people who use services and carers, and looking at how we provide advice.

I will also be looking at how to widen the range of people and organisations we involve and consult to help our work influencing policy and service development.

Clearly, individual and collective advocacy will be very important in helping us reach and engage with people, so we will be in touch in the coming months.

You can find more information about the Mental Welfare Commission for Scotland from their website: www.mwcscot.org.uk