

The Centre for Social Justice  
9 Westminster Palace Gardens  
Artillery Row  
London SW1P 1RL

Website [www.centreforsocialjustice.org.uk](http://www.centreforsocialjustice.org.uk)

The logo for The Centre for Social Justice, featuring the text "THE CENTRE FOR SOCIAL JUSTICE" in white, uppercase letters on a dark red background. The text is arranged in three lines: "THE CENTRE FOR" on the top line, "SOCIAL" on the middle line, and "JUSTICE" on the bottom line. The font is a clean, sans-serif typeface.

THE CENTRE FOR  
SOCIAL  
JUSTICE

**Press Release from the Centre for Social Justice  
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For immediate Release**

**CHILDREN IN CARE SHOULD BE GIVEN RIGHT TO  
SUE NEGLECTFUL COUNCILS, SAYS MAJOR NEW  
REPORT**

Children in care should be given the right to sue local authorities for compensation if councils wilfully neglect their responsibility to provide a decent upbringing and education, according to a major new report published today.

The report from the Centre for Social Justice chaired by the former Conservative leader Iain Duncan Smith, brands the care system responsible for 60,000 children as a “source of national shame”.

It warns that cash-strapped local councils are failing to fulfil their legal duties properly to look after youngsters from disturbed backgrounds. Unless reforms are rapidly implemented then it will be necessary to take the draconian step of giving them the right to legal redress.

Children in care “have no votes” and are currently powerless when faced with intransigent and negligent councils, the report says.

“The Government should introduce new legislation which clarifies the specific legal entitlements for children in care and former children in care, removes the barriers to them seeking

enforcement of these rights and gives the courts the right to direct compensation. New legislation could be comprehensive and bring much needed clarity for children in care and care leavers,” the report, entitled “Couldn’t Care Less”, adds.

An alternative would be to set up a tribunal system along the lines of the one that currently hears appeals about special educational needs and disability, which can order action but cannot pay compensation.

The report says giving a right to compensation should be a “last resort” but one that will have to be granted if councils continue to ignore their statutory responsibilities.

The report also warns that Britain’s crumbling care system for vulnerable children will collapse unless urgent action is taken to find a new generation of foster parents.

The report reveals that rising levels of family breakdown and corrosive social problems such as drug and alcohol addiction are driving up the number of children taken into care.

But at the same time, the supply of foster parents, who already look after nearly three quarters of the 60,000 children in care, is drying up.

The same social trends that are propelling more children into care – up 20 per cent in the last decade – are also choking off the supply of foster parents.

“The country is suffering a massive shortage of foster carers. Our survey revealed that 55 per cent of foster carers were aged 35-54 and living in two-parent families. But family breakdown means that fewer of such households are being formed at a time when demand for their services is increasing.”

The report estimates that just to cope with existing demand, the number of foster parents must increase at the rate of 5 per cent a year for the next five years. But it expresses grave doubts that this target will be achieved without radical policy changes.

The report also reveals that political correctness is hampering the efforts of foster parents. According to a poll carried out by YouGov of nearly 800 foster parents and care leavers, more than 40 per cent of foster parents say they are afraid to give their children a hug.

The report urges the Government to start paying foster parents a living wage. It also calls for the introduction of housing improvement grants to enable foster parents to look after more children.

Extensive polling carried out for the report by YouGov reveals widespread dismay among foster parents. Only one third are satisfied with the help they receive from local councils and nearly half say they are badly supported financially.

The report paints a grim picture of the state of the existing system.

It reveals that:

\* Exam results for children in care are five times worse than for other children. Only 11 per cent gain 5 A\*-C GCSEs compared with 56 per cent of all children.

\* Children in care are as much as five times more likely to suffer mental illness than their peers.

\* Nearly a third of children in custody have previously been in care.

\* One third of homeless people have been children in care.

\* Four in ten foster parents think that the care system has deteriorated over the last 10 years.

Mr Duncan Smith commented: “Ironically, the plight of children in care is so dreadful that if they were living with their natural parents, the state would insist on taking them into care.”

The report, which has been produced by a working party of experts chaired by educationalist Ryan Robson, calls for action to halt the tide of children being taken into care.

It calls for preventative measures to shore up failing families such as “family fostering schemes” whereby a whole family is taken into care in a residential unit to keep parents and children together and to tackle their multiple problems in a safe environment.

It also points out that in addition to the 60,000 children living in care, over 200,000 are being raised by friends and relatives. It says this “kinship care” is valuable because it keeps families together and prevents thousands of children being placed with strangers.

In a key policy shift, it says “kinship care” should become the preferred form of placement for children from troubled backgrounds and that “kinship carers” should be paid at the same rate as foster parents.

It also accuses local authorities of failing to stop children in their care turning to a life of crime. It points out that half of those aged under 21 caught up with the criminal justice system have a background in care. Some councils are so neglectful of their duties that they seem happier to see problem children transferred to custodial institutions.

“Local authorities are failing in their responsibilities to prevent children in care sliding into criminality. Mental health problems are left unresolved and research shows that 26 per cent of young people with mental health problems had been in trouble with the police, compared to 5 per cent with no such problems...

“There are perverse financial incentives which push children towards custody...It is cheaper for a local authority if an offending child in care is imprisoned. It is cheaper for the state if these children are sent to young offenders institutions, which have a poor record of education, welfare and rehabilitation compared to secure children’s homes, for example...In the long term, this approach has disastrous consequences for society.

“Offenders with a background in care re-offend in large numbers and go on to experience a life plagued by unhappiness and dependency, which costs £3 billion.”

“Too many young people are leaving care without the support they need to live successfully as adults. Local authorities are not fulfilling their duties: care leavers leave too early, are ill-prepared for life outside care, and do not get the appropriate advice and support in areas such as housing.

“As a result, only 29 per cent of care leavers are in education, training or employment at age 19; almost a third of young people misuse drugs and alcohol within a year of leaving care; and around a third of those living on the streets have a background in care.”

**NOTE TO EDITORS:** For media inquiries please contact Nick Wood of Media Intelligence Partners Ltd on 0203 008 8146 or 07889 617003

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