

# Southwark Judgement cases

## Quick overview of the ruling

- ▶ The Judgement of the House of Lords in May of 2009 sets out the responsibilities of Housing and the Integrated Adolescent Service / Children's social work service, in relation to 16-17 year olds who present to a Local Authority as homeless.
- ▶ Duties owed by each service will depend on a range of factors, including which service they initially seek help from; the outcomes of any assessments and enquiries; and the wishes and feelings of the young person and their family.
- ▶ The joint housing assessment protocol sets out the duties owed by which agency / service.

# AST role with young homeless

Ages 16 – 17 (up until 18<sup>th</sup> birthday), young person has presented as homeless and is seeking accommodation and a Joint Housing Assessment is required under the Southwark Ruling

AST have the duty to assess and provide support that meets that young person's needs.

Our assessments are called Child and Family Assessments, they can take up to 45 days to complete, however on receipt of the referral / alert about a young person being homeless, the allocated team / social worker will seek to undertake an initial assessment / review of the young person's needs to establish if they appear to be a child in need.

## **Children in need (as set out by the Children Act 1989)**

Section 17(10) of the 1989 Act defines a child as being in need if;

- a. they are unlikely to achieve or maintain, or to have the opportunity of achieving or maintaining, a reasonable standard of health or development without the provision for them of services by a local authority under this Part;
- b. their health or development is likely to be significantly impaired, or further impaired, without the provision for them of such services; or
- c. they are disabled

On completion of the C&F assessment, practice guidance dictates that this and the recommendations from it be shared with the relevant agencies involved with the young person, depending on the young person's consent, it will be shared with the housing teams, either as an edited version, or in full.

## **Looked After Children**

Section 20 of the 1989 Act defines a looked after child as being someone who the Local Authority is providing accommodation for, over a period of 24 hours or more. The Southwark guidance is clear that Local Authorities duties under Section 20 of the Act supercede the duties of a Housing Authority, however there are 2 exceptions to this rule when a young person is

- a. not a child in need;
- b. a 16 or 17 year old child in need who, having been properly and fully advised of the implications and having the capacity to reach a decision, has decided that they do not want to be accommodated under section 20.

Where children's services have decided that a section 20 duty is not owed, or the young person does not wish to be accommodated, housing services duties under Part 7 of the 1996 Act will continue.

In any case, where a housing authority provides accommodation for a child in need, including where the young person has declined to be accommodated under section 20, children's services will need to consider the provision of services under section 17 of the 1989 Act, set out in a child in need plan, and continue to work with housing services to ensure the young person's needs are met

# Adolescent Development

During adolescence, young people experience many changes as they transition from childhood into young adulthood. These changes include physical, behavioural, cognitive, and emotional-social development.

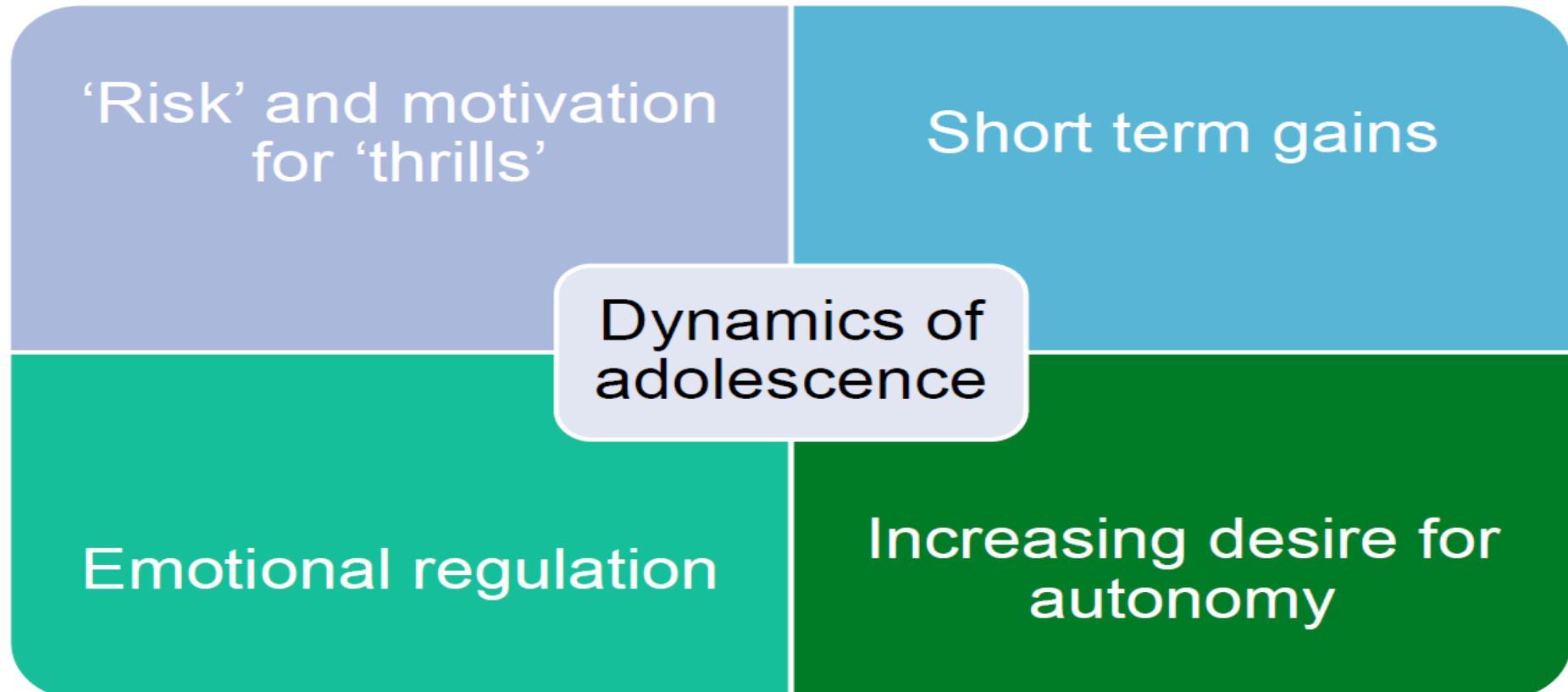
Researchers suggest adolescence undergo three primary developmental stages of adolescence and young adulthood --early adolescence (10-14) , middle adolescence (15-17) and late adolescence/young adulthood (18-24).

## Middle Adolescence

During the middle adolescence stage, puberty is completed for males and females. Physical growth slows for females but continues for males.

The front part of the brain, responsible for functions such as complex reasoning, problem solving, thinking ahead, prioritising, long-term planning, self-evaluation and regulation of emotion, begins to develop in early adolescence with a final developmental push starting at age 16 or 17. It is not that these tasks cannot be done before young adulthood, but rather that it takes more effort and requires practice Teens process information with the amygdala. This is the emotional part. In teen's brains, the connections between the emotional part of the brain and the decision-making centre are still developing—and not always at the same rate. That's why when teens have overwhelming emotional input, they can't explain later what they were thinking. They weren't thinking as much as they were feeling.

# Adolescent development



### **Growth in abstract thought:**

- Developing new thinking skills, such as thinking more about possibilities, thinking more about the process of thinking itself, thinking in multiple dimensions, and seeing things as relative rather than absolute.
- Cause-effect relationships are better understood.
- Practicing new thinking skills through humour and by arguing with parents and others.
- **Reverts to concrete thought under stress.**

### **Define a personal sense of identity:**

- Teens may struggle to identify a true self amid seeming contradictions in the way they feel and behave in different situations, and with different levels of thought and understanding
- Very self-absorbed.
- **Alternate between unrealistically high expectations and poor self-concept.**

### **Adopt a personal value system:**

Begin to question social conventions and re-examine personal values and moral/ethical principles, sometimes resulting in conflicts with parents.

### **Renegotiate relationship with parents/caregivers:**

- Adolescents negotiate a change in relationship with parents that begins to balance autonomy (independence) with connection. Overall, the adolescent's task is one of separating in some ways, while maintaining and redefining connections in others, in order to make room for a more adult relationship that meets cultural expectations and provides necessary support.
- **Conflict with family predominates due to ambivalence about emerging independence.**

### **Develop stable and productive peer relationships-**

- Strong emphasis of the peer group.
- Strong peer alliances – fad behaviours.
- Increasing interest and involvement in opposite-sex relationships and friendships.
- **Peer relationships often compete with parents and schools in influence on teen's attitudes and behaviours**

### **Meet demands of increasing mature roles and responsibilities**

- Greater capacity for setting goals
- Life skills can be more developed
- May get a job / begin to want to earn money