

The Changing Face of **Advocacy**

Jane Lane, Director of Advocacy Matters (Wales) describes the way in which her organisation has had to change and develop since its inception

The foundations of Advocacy Matters (Wales) (AMW) began in 1989 as a result of the closure of Ely Hospital in Cardiff. Ely, a former work-house established in 1903, was used from 1948 as a long-stay NHS hospital for approximately 660 people who were at that time labelled as, “mentally subnormal” patients.

Partnerships

AMW originally provided Citizen Advocacy partnerships to patients which involved preparing and training local volunteers to form a long term, one to one, partnership to help their ‘partner’ to speak up for their rights and say what they wanted. The Citizen Advocacy scheme still continues in Cardiff and the Vale of Glamorgan, with the Citizen Advocacy Co-ordinator offering on-going supervision and support for up to 40 volunteers, with some partnerships having lasted 15 years.

In January 2000, in response to an unmet need and using a three year National Lottery grant AMW employed two paid advocates to provide issue based advocacy for people with a learning disability in Cardiff and the Vale of Glamorgan.



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The major issues for the former ‘patients’ at that time included community care assessment reviews; family contact; move-on and changes in service provision.

Although these were fairly straightforward advocacy issues for the Paid Advocacy Service there were a number of problems. The vast majority of referrals were

from former patients of Ely Hospital; people institutionalised by decades of hospital administration who were unable to communicate conventionally; who suffered low self esteem; a profound lack of confidence to speak up for themselves as individuals and who were unable to understand the concepts of choice and preference.

Change

As we approach the tenth anniversary of AMW providing Independent Advocacy, what has changed?

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There is a greater recognition of a need for independent advocacy for marginalised groups and this has been introduced through best practice guidelines. The Mental Capacity Act 2005 has provided a statutory requirement for people who may lack capacity to make life changing decisions to an IMCA and most recently individuals now have the right to be advised by an IMHA of their rights under the Mental Health Act 2007.

Whilst many of those first advocacy issues still remain a constant in the advocacy referrals, there has in recent

years been a significant shift and expansion to encompass more complex issues including requests for independent advocacy for individuals involved in POVA investigations (case study 1); learning disabled parents involved in child protection proceedings (case study 2) and people involved in the criminal justice system (case study 3).

POVA

In 2004 a new statutory requirement, The Protection of Vulnerable Adults (POVA) Scheme was introduced to give significantly greater protection and support to vulnerable adults from abuse and inappropriate care. Referrals for an independent advocate for individuals involved in POVA investigations, as victims and / or an alleged perpetrator have increased significantly in recent years. Reports of abuse are mainly centred on allegations of financial or emotional/ psychological or physical abuse (sexual abuse is rarer). When a referral is received the allocated Independent Advocate meets with the person to discuss the POVA and to ask if they want support from an Advocate.

Case study 1

In one case AMW received a referral from social services involving a POVA that had been reported regarding M a young woman, who had made allegations of inappropriate advances from a co-tenant that required a full investigation. The

allocated advocate met with M to discuss the POVA and to make sure she wanted support from AMW. M decided she did not want to attend any of the strategy meetings and case conferences, the advocate worked with M so that he could ensure M was still able to have a voice at the meetings by asking questions on her behalf he then reported back to M what had been discussed. M was included in the recommendations and the action plan to keep M safe was agreed by all parties.

Case study 2

In a recent case involving B a young learning disabled single parent who had “fallen through the net” and received no services contacted Advocacy Matters because she was on her own and needed someone to help her to speak up for herself throughout child protection proceedings in the family courts. B’s independent advocate helped her to get legal representation. The Independent Advocate also supported B whenever she met her solicitor to make sure B understood the legal process. B met with her advocate on a regular basis in between court hearings to ensure B felt well informed and prepared. B’s advocate sat by her side to support her during the court proceedings to make sure she understood what was happening and to give her the confidence to speak up for herself. During the court proceedings B did speak up for herself and following the court case the clerk to the Court and the solicitors thanked B for





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her contribution. Following the court proceedings, B's advocate continues to support B to access services that can help her with her future parenting responsibilities.

Case study 3

In a case of a young person involved in the criminal justice system, AMW received a referral for an Independent Advocate which involves C who had been arrested by the police and had no family support. C had never been in trouble with the police before and was not known to social services. His advocate was asked to be his appropriate adult at the police station. This meant that the advocate was there to

explain to him why he had been arrested and to support him

while he was in custody. The independent advocate also helped him to get legal representation. Once his solicitor arrived the advocate stayed with C to support him through the police interviews. After C was charged by the police, the advocate attended the Magistrates Court with him and worked in partnership with his solicitor to make sure that C understood what was happening to him. Unfortunately C was remanded into custody while he awaits his trial. The advocate is in contact with his legal team and

visits C frequently in prison to talk about all sorts of things including the court proceedings and if there is anything C doesn't understand, he can ask. Since he has been in prison the advocate has helped him to get the support he needs to deal with prison life and to attend all court hearings so that C can be supported and to be as involved in the legal process as he can be.

Quality Award

Since the inception of AMW Independent Advocacy services in 2000 the Charity has in recent years gone from strength to strength and in September 2009 AMW is the first advocacy

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organisation to be awarded the Advocacy Quality Performance Mark (QPM) in Wales.

In addition to achieving the much sought after QPM award the assessors singled out AMW special areas of good practice, including.

Development & Funding –

“AMW has achieved what many advocacy organisations only dream about: diverse funding. This was seen as necessary to lessen the risk of undue influence affecting the independence of the organisation. The achievement of diverse funding has not come about by chasing any funding available. Growth is carefully planned. AMW commitment to independence at all costs, while managing to achieve sustained growth and multiple funders, is a fine example of good practice”.

The assessor also singled out the Independent Advocacy service

for people with Asperger syndrome. “This is unusual in the advocacy world as a whole and AMW are to be commended for achieving funding in an area where even statutory services are thin on the ground”.

File Keeping and Form design –

“AMW are to be commended for the importance they give not only to advocacy outcomes but ‘soft’ outcomes”. “AMW have worked hard to make all forms the initial forms as accessible as possible to service users with the inclusion of pictograms and photographs”. “Particular praise should also be given for the development of the outcomes recording tool”

Staff Support and Training –

“Throughout AMW, there is a strong emphasis on training for staff and committee members and personal development for all staff”. “Career development is

considered an important part of the scheme. The chair confirmed the organisation is trying to promote advocacy as a profession rather than a stop gap job”.

Complaints procedure –

“AMW has a robust and effective complaints procedure. It is refreshing to see a scheme that is keen to learn from mistakes rather than apportion blame, as well as giving a clear example of this”.

To compliment our existing advocacy services primarily in Cardiff and the Vale of Glamorgan, AMW has recently been awarded two grants to a total of £376,526 from the Big Lottery Fund to expand our Independent advocacy services for adults with a learning disability across Bridgend and Rhondda Cynon Taf.

*Jane Lane
Director*

