



UNIVERSITY OF
BIRMINGHAM

Addressing the Care Cliff: Should care experience be a protected characteristic in the Equality Act 2010?

Jane Slowey Memorial Bursary 2025/26

Samantha Robathan

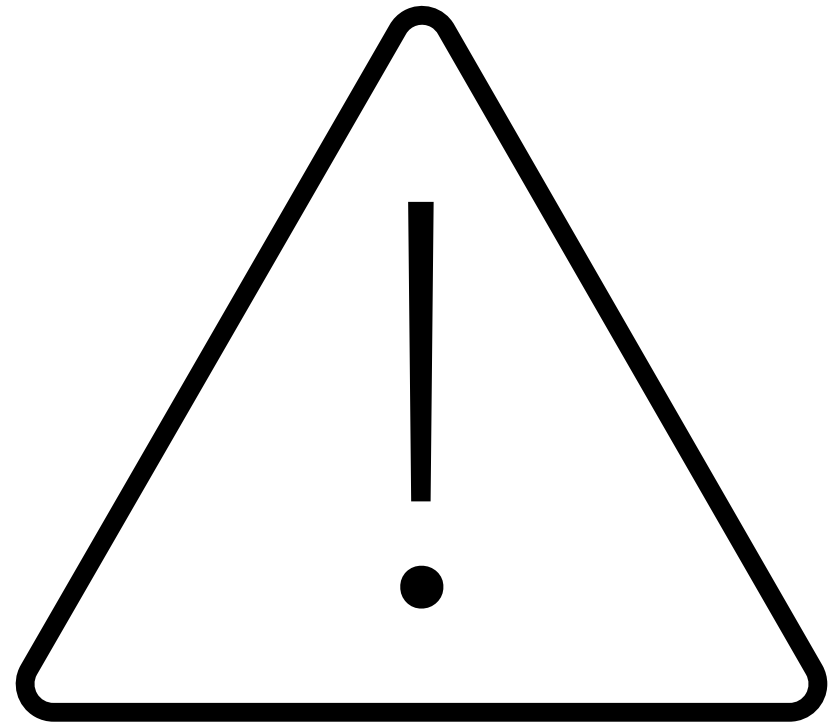


commonweal
housing



The Problem

- **83,840** children in care in England by 2023 (NSPCC, 2024, p.4)
- **13,000** leave care each year (Barnardo's, 2024)
- **1 in 3** become homeless within two years (Barnardo's, 2024)



Dissertation Aims & Objectives



Which policies and structural factors increase homelessness risk in the first two years after leaving care?



How do policies and institutional practices unintentionally produce social harm?



To what extent could the Equality Act 2010 mitigate identified harms?

Literature Review

Identified themes



Key Insight

Despite decades of evidence, predictable and preventable harms persist due to structural and policy failures.

Theoretical Framework

Social harm approach

- “compromises flourishing in ways that could have been prevented”
(Billingham & Irwin-Rogers, 2022, p.42)

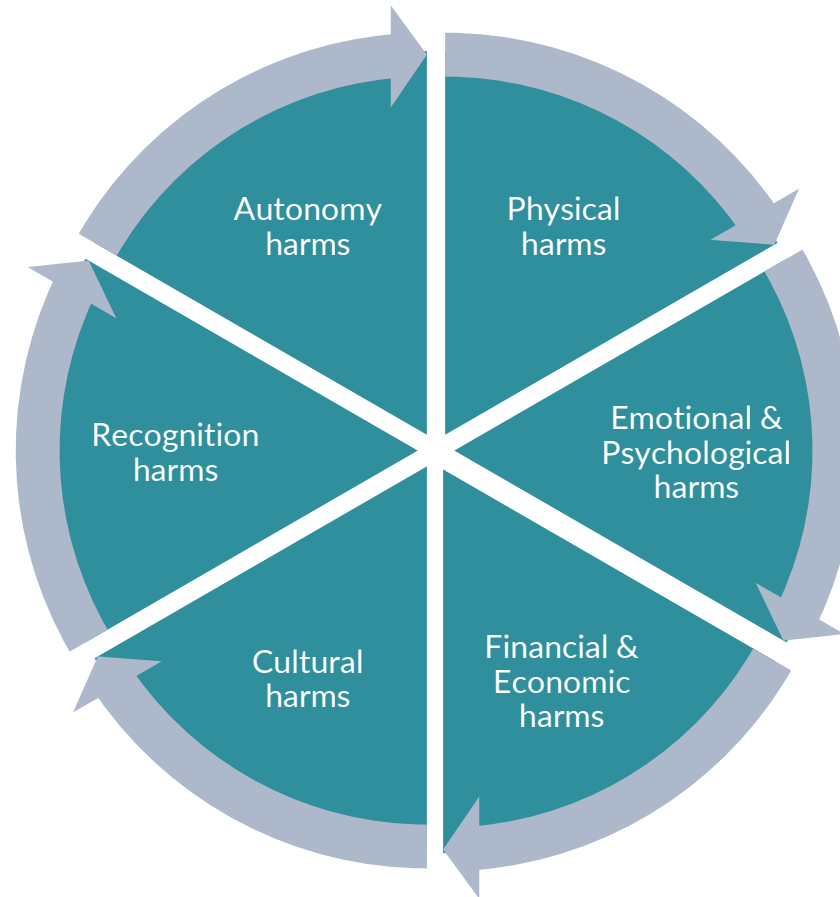
Application to care leaver homelessness

- Homelessness among care leavers is a predictable and avoidable harm, given decades of consistent evidence

Gap in the field

- The social harm lens is under-developed for care-experienced populations

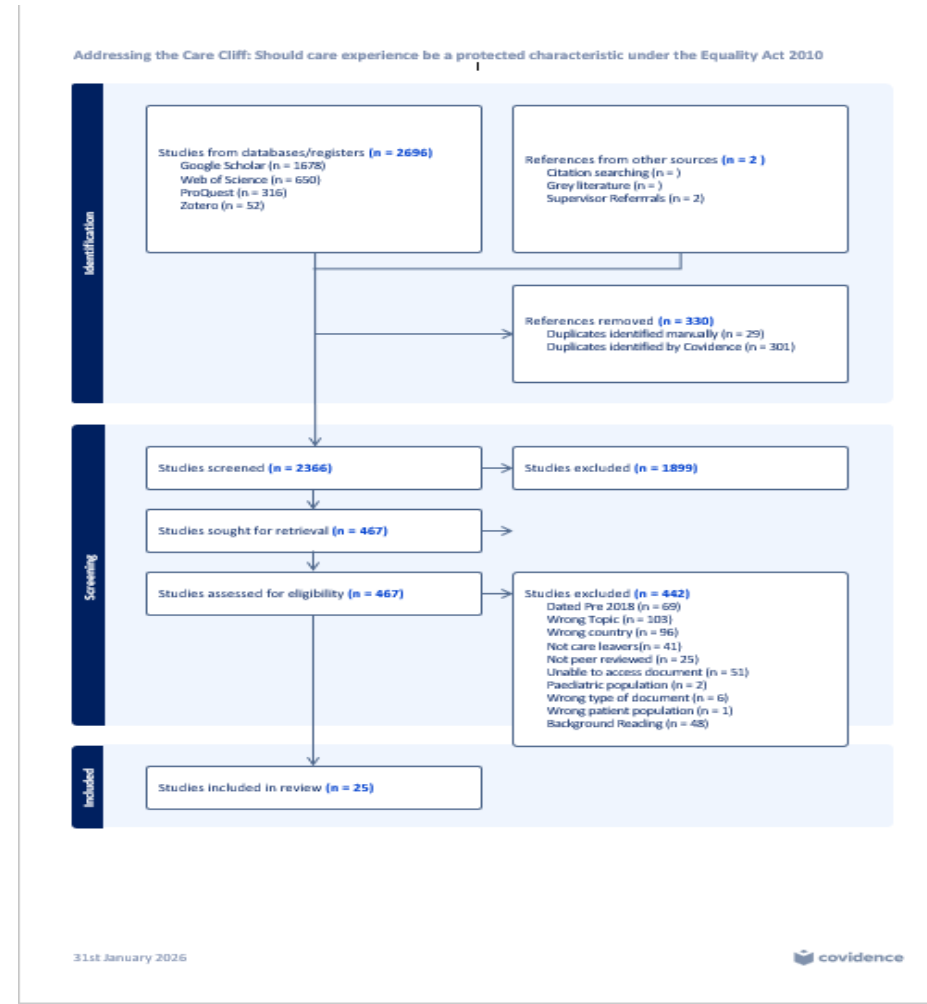
Canning & Tombs Typology of Harm



- Canning & Tombs (2021, p.66-67)
Canning et al.,(2023, p.509

Methodology

- Rapid Evidence Review (REA)
- 2,696 documents reviewed
- 25 read in full
- 11 included in final review
- Included academic & grey literature containing young people's voices
- Publication date: 2017 onwards to reflect current policy context



Summary of Harm Pathways and Policy Limits Identified in the REA

HARM DOMAINS

Physical
Emotional and psychological
Financial and economic
Cultural
Recognition
Autonomy



MECHANISMS OF HARM ACROSS DOMAINS

- Abrupt Transitions
- Responsibilisation
- Inconsistent local practice
- Gaps in preparation and life skills
- Stigma



H-CLIC: MECHANISM OF INVISIBILITY

- Aggregates care leavers into “youth homelessness”
- Removes national visibility
- Prevents monitoring of outcomes
- Blocks targeted intervention



OUTCOMES

- Rising care leaver homelessness

IF CARE EXPERIENCE WERE PROTECTED

- Public bodies would need to consider impact
- Duties to reduce disadvantage would apply
- Monitoring and reporting would be required

WHY EA2010 CANNOT OFFER PROTECTION

- England operates a welfare-based not rights-based policy model.
- The Act cannot reach key harm-producing systems (HCLIC, welfare)
- The harms identified are structural, not interpersonal

Findings (1): Cross Nation Differences

- Scotland is UNCRC aligned, Wales UNCRC aware, England is not but is welfare based.
- Scotland & Wales publish targeted care leaver roadmaps: England does not
- Scotland (HL1) & Wales record care leaver status = triggers support
- England (H-CLIC) aggregates care leavers in national data = no visibility

Findings & Analysis (2):Data invisibility & Policy Limits

- H-CLIC conceals care-experienced homelessness in national statistics.
- Prevents monitoring, trend analysis and targeted intervention
- Reinforces recognition and autonomy harms
- Offers an explanation why care leaver homelessness rises

Would the Equality Act 2010 Protect?

- Would improve visibility through the Public Sector Equality Duty
- Cannot address structural harms alone
- England must shift from welfare-based to rights-based policymaking
- Requires UNCRC alignment as in Scotland and Wales

Conclusion

- Care leaver homelessness is predictable and preventable
- Harms are structural, institutional and long standing
- England's data system creates national invisibility
- Scotland & Wales show that rights-based system bring targeted interventions
- Protection under the Equality Act 2010 would help – but deeper reform is required.

Film Collaboration with BOA Yr 13 Students

- Co-produced a short film with BOA Stage & Screen students entitled “Cliff Edge”.
- Birmingham-centred visual narrative exploring homelessness
- Designed as a creative companion piece to raise awareness, complementing the dissertation’s substantive topic
- Includes a statement from Commonweal.



Questions & Discussion



Reference List

- Archie Robathan (2026) *Cliff Edge*. Available at: <https://www.youtube.com/watch?v=3PaXanQRobo> (Accessed 14 May 2026).
- Barnardo's (2024) *Improving Cross-Government Support for Care Leavers*. Available at: <https://www.barnardos.org.uk/research/improving-cross-government-support-care-leavers> (Accessed 6 Nov. 2025).
- Billingham, L. and Keir Irwin-Rogers (2022) *Against Youth Violence*. Policy Press.
- Canning, V. and Tombs, S. (2021) *From social harm to zemiology a critical introduction*. Routledge.
- Canning V., Hillyard P., Tombs S., (2023) 'Social Harm and Zemiology' in Liebling, A., Shadd, M., and McAra, L. (eds), *The Oxford Handbook of Criminology*. Oxford University Press, pp. 502-520
- Equality Act 2010, c.15. Available at: <https://www.legislation.gov.uk/ukpga/2010/15/contents> (Accessed 16 Oct. 2025).
- GOV.UK (2023) *Public Sector Equality Duty: Guidance for Public Authorities*. Available at: <https://www.gov.uk/government/publications/public-sector-equality-duty-guidance-for-public-authorities/public-sector-equality-duty-guidance-for-public-authorities> (Accessed 14 Nov. 2025).
- H-CLIC (2018) Available at: https://gss.civilservice.gov.uk/wp-content/uploads/2018/05/H_CLIC_v1.4.1_guidance.pdf (Accessed 6 Feb. 2026).
- NSPCC (2024) *Children in care (looked after children): statistics briefing*. Available at: <https://learning.nspcc.org.uk/research-resources/statistics-briefings/children-in-care> (Accessed 9 Mar. 2026).
- The Scottish Government (2013) *HL1 user information: guidance*. Available at: <https://www.gov.scot/publications/hl1-user-information/pages/file-and-submission-details/> (Accessed 6 Feb. 2026).
- UNICEF (2026) *UN convention on the rights of the child (UNCRC)*. Available at: <https://www.unicef.org.uk/what-we-do/un-convention-child-rights/> (Accessed: 20 Feb 2026)