



Implementing and monitoring the UN Convention on the Rights of the Child (UNCRC) in Scotland

Main objectives and context

Progress has been made to improve the realisation of children's rights across Scotland. However, Together's 2016 [State of Children's Rights report](#) identified that much more needs to be done – there are still widespread failures to recognise and support children's rights, from local and national weaknesses in children and young people's participation to significant gaps in children's legal protection in criminal law.

The UNCRC in Scotland seminar series, held from February 2017 – June 2017, sought to improve and address gaps in the implementation and monitoring of the UNCRC in Scotland through an examination of the UNCRC in law, practice, policy and identify next steps for implementation.

The seminar series experienced significant interest in its aims and outputs, with over 90 delegates registering to attend each event. By working in partnership with the Universities of Edinburgh and Stirling and drawing from Together's membership, delegates attended from a wide range of fields including academia, the public sector and the third sector.

Insights and recommendations

Seminar 1: UNCRC in Law – This first seminar explored the strengths - and limitations - of using law to progress UNCRC implementation. Speakers examined important trends in the incorporation of children's rights principles into domestic law throughout Europe, Wales and Scotland, and explored the challenges children and young people face in securing their UNCRC rights.

The implementation of the Children and Young People (Scotland) Act 2014 (the 2014 Act) provides an opportunity to explore how non-legislative measures such as child rights and wellbeing impact assessments, a national plan of action, data collection, participation of children in decision-making and complaints mechanisms for children can help to progress UNCRC implementation. However, incorporation is still needed to achieve the Scottish Government's aspiration of making 'Scotland the best place to grow up' and of ensuring children's rights are 'respected across the public sector'. To progress incorporation, rights advocates need to work with children and young people to convince decision-makers and influencers of the value of taking a children's rights approach. This needs to include members of the Scottish Parliament, local government, the judiciary, health and education services, parents and academics. Given the international experience of the culture change that incorporation can bring, the seminar concluded with most delegates agreeing that the 2014 Act only provides a starting point.



Seminar 2: UNCRC in Practice – This second seminar explored methods through which children and young people’s views and experiences are – and should be – used in practice to inform legislative and policy developments. Gerison Lansdown explored research developments and learning in children and young people’s participation over the past 25 years and outlined the Council of Europe’s new Child Participation Assessment Tool as a model that could be adopted in Scotland. Children and young people from the [Children’s Parliament](#), [Who Cares? Scotland](#) and the [Scottish Youth Parliament](#) highlighted participation projects from across Scotland that are succeeding in influencing policy and practice. Whilst some progress has been made, too often decisions are still made by national and local government without proper consideration of their effect on children and young people. The seminar demonstrated many positive and effective models of participation but showed that these examples are often *ad-hoc* and inconsistent.

Scottish Ministers need to consider ways in which the UNCRC can be better implemented in Scotland and listen to the views of children and young people. Duties in the 2014 Act provide a useful framework through which national and local government can mainstream children and young people’s participation rights into decision-making. Scottish Government should take a strategic approach to participation which ensures a coordinated, resourced and best-practice approach across all national government departments. Public bodies should be encouraged to replicate this approach across local services. The Scottish Parliament should create opportunities for children and young people to build relationships with relevant Committees to explore and scrutinise specific areas of priority.

Seminar 3: UNCRC in Policy – This third seminar explored how new policy developments – specifically the UNCRC duties placed on Ministers and public bodies through the 2014 Act – can provide opportunities to further children’s rights and their participation in policy developments.

Discussions among delegates on the next steps that should be taken in Scotland to embed children’s rights into policy-making were in-depth and diverse. The use of Child Rights and Wellbeing Impact Assessments (CRWIA) at a national level was welcomed although this should be progressed at a public body level, particularly to inform the development of Children’s Services Plans in line with Parts 1 and 3 of the 2014 Act. This needs to be accompanied by widespread training, in line with the [Common Core of Skills, Knowledge, Understanding and Values for the Children’s Workforce in Scotland](#)¹, to ensure that policymakers have the skills, knowledge and understanding to undertake CRWIA. It is important that CRWIAs are published widely and timeously to enable civil society scrutiny. A quality assurance framework is needed to ensure effectiveness – this should include an independent evaluation of CRWIA, similar to that undertaken in Wales.

Seminar 4: UNCRC Going Forwards – This final seminar brought together the previous seminars’ learning and experiences to develop commitments to progress UNCRC implementation in Scotland. The seminar looked at UNCRC accountability mechanisms and examined the use of data and indicators to measure the progress of children’s rights. The session was informed by the newly appointed Children and Young People’s Commissioner for Scotland, the Minister for Childcare and Early Years, members of youth councils, government officials, academia, civil society and the public sector.

¹ The Common Core identifies the skills, knowledge & understanding and values that every worker should demonstrate if they work with children, young people and families in Scotland.



Throughout the day, there was discussion and broad agreement on the need for an action plan to outline the distinct steps that Scottish Government will take to progress the UNCRC. A widely owned National Action Plan for Children's Rights would support a cohesive and coherent approach and reflect real commitment to children and young people. It should include specific, measurable, achievable, resourced and time-bound actions, and a monitoring framework with an agreed set of indicators. This would support the requirements of the UNCRC's General Measures of Implementation and reinforce the measures already in place, such as the 2014 Act, the CRWIA model, the annual children and young people's Cabinet meeting, and the UN Committee's Concluding Observations.

Main outcomes and impact

The seminar series has received excellent evaluations from participants. Seminar feedback revealed that an average of 79.3% of delegates rated the seminars as either 'excellent' or 'good' in the exchange of experience, knowledge and ideas. All participants who responded to the evaluation sheets said they would share the seminar findings and outputs with colleagues, or find a way of using ideas and knowledge from the seminars in their role. Typical examples of feedback received include:

"The seminar challenged my perceptions of children's rights and increased my understanding of UNCRC and national policy"

"Excellent and informative event. There was a range of fantastic speakers giving their perspectives on how UNCRC can be implemented into law. There was also a wide range of professions in attendance."

"It was great to hear directly from children and young people. Always feel inspired"

"Excellent balanced programme"

The seminar series has resulted in the strengthening of relationships with key partners in Scottish Government, national and international academics and the Parliamentary SPICe team. The series has also resulted in an increased Together membership.

Outputs of the seminar series include widely-read summary and reflective blogs from many of the seminar speakers, a briefing paper and child-friendly briefing for each of the four seminars, a summary video made at each seminar, a series of photographs from the 'UNCRC in Practice' seminar carried out alongside children and young people, and an engagement day looking at child rights best practice between members of the Glasgow Youth Council / Scottish Youth Parliament with Aberdeen City Council. The young people invited to this engagement day documented their experiences with blogs and a [video](#). The MSYPs involved in the seminar series have continued to take forward children's rights in their work with the Scottish Youth Parliament, who have recently announced that children and young people's rights will be the topic of their new campaign for 2017-2018.



The findings of the seminar series will be used to inform a national child rights strategy going forwards.

- All aforementioned seminar outputs can be found on Together's webpage [here](#).
- Professional photos from the seminar series can be viewed [here](#).



Follow-up activities

Mural: As part of this seminar series, the programme team worked to ensure that children and young people played a key role and that key messages are accessible. A creative project was undertaken with Sciennes Primary School in Edinburgh at the close of the seminar series to present the key findings across children's rights in law, practice, policy and the future in a creative and engaging way.

Three members of the Glasgow Youth Council and the Scottish Youth Parliament who had attended all the seminars interpreted the key messages and themes using the child-friendly briefings and their own learning and experiences from the series. The P6C pupils at Sciennes Primary School then worked closely with two commissioned artists over three days to visualise the imagery such as 'the policy factory', 'inaccessible rights in the clouds', a 'meadow of rights' and the 'interconnectedness of rights'.

The pupils created seven large panels of artwork presenting these themes. Sciennes Primary School have written a blog about the project which includes pictures of the panels and videos of the pupils discussing the mural themes:

- Sciennes Primary School blog can be read [here](#).
- Photographs of the mural can be viewed [here](#).



**scottish universities
insight institute**

mobilising knowledge for a better Scotland

Together's most popular post on social media was the publication of the children's mural which 'reached' a total of 1,938 individuals and received 53 reactions, comments and shares on Facebook. A follow-on event will be held on December 13th at the Scottish Parliament to exhibit and celebrate the child rights mural at a reception sponsored by Mark McDonald MSP, Minister for Childcare and Early Years. To coincide with the exhibition event, the UNCRC in Scotland SUII team will meet with the SPICe team and co-ordinate a CPG meeting on children and young people at which 'Child Rights Champs' will be invited to discuss the mural, the forthcoming Year of Young People and the 2018 Ministerial child rights report under the Children and Young People Act. The day will have a specific focus on progressing implementation of the UNCRC in Scotland.



Journal issue: Also resulting from the seminar series, Professor Kay Tisdall and Dr Andressa Gadda are taking forward a special journal issue, on how to improve the monitoring and implementation of children's human rights. Contributions by several of the seminar speakers have been agreed, abstracts have been proposed and a leading human rights journal is awaiting a proposal submission. The UNCRC in Scotland seminar series team look forward to the development of this follow-on project over the course of 2017/18.