



**SCOTTISH ALLIANCE
FOR CHILDREN'S RIGHTS**

*"Working to promote the full implementation of the
UN Convention on the Rights of the Child in Scotland"*

**SUMMARY OF THE NGO REPORT (SCOTLAND) 2008
TO THE UNITED NATIONS COMMITTEE
ON THE RIGHTS OF THE CHILD**



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INTRODUCTION

The UK government has overall responsibility for the implementation of the United Nations Convention on the Rights of the Child (UNCRC), and the coordination of the state party report to the Committee on the Rights of the Child (the Committee). The Scottish Government (prior to Scottish Parliament elections in May 2007 referred to as 'The Scottish Executive'), has devolved responsibility for many of areas covered by the UNCRC – specifically social services, public health, education, and youth justice. The UK government has reserved powers in the matter of taxes, social security benefits, immigration and asylum, as well as defence and national security.

The Scottish Government contributed to the Third Periodic UK Government Report¹ submitted to the Committee in July 2007, and also published a more comprehensive report for Scotland². The NGO Report for Scotland³, of which the following pages form a summary, is a response to the Scottish Government Report, and whilst reflecting the format of the Scottish Executive Report 2007, takes the 2002 Concluding Observations as a starting point, and also deals with newly emerging issues since 2002.

The Scottish Alliance for Children's Rights (SACR) was set up in 1996 with a remit to promote the full implementation in Scotland of the UNCRC. SACR is the coordinating body for the NGO report for Scotland, and its members include many leading non-governmental organisations concerned with child welfare and rights in Scotland, as well as many individuals committed to promoting and advocating for children's rights.

SACR has consulted widely over the last three years, and a list of supporters of the NGO Report is contained in Appendix 2 to the full report.

The NGO report highlights areas where there has not been sufficient progress by government in complying with the 2002 Concluding Observations, and makes a number of recommendations on how the Scottish Government and the UK Government can take forward the process of implementation of the UNCRC, and bring about significant improvement in the lives of children in Scotland.

¹ Consolidated 3rd and 4th Periodic Reports by the UK Government Reports 16/7/07

² A REPORT ON IMPLEMENTATION OF THE UN CONVENTION ON THE RIGHTS OF THE CHILD 1999-2007, Scottish Executive July 2007

³ THE NGO ALTERNATIVE REPORT (SCOTLAND) TO THE UNITED NATIONS COMMITTEE ON THE RIGHTS OF THE CHILD 2008



CHAPTER 1 – GENERAL MEASURES OF IMPLEMENTATION

1.1 National human rights institutions

NGOs welcomed the appointment in 2004 of Scotland's Commissioner for Children and Young People (SCCYP). SCCYP may carry out investigations into rights issues affecting either all children and young people, or particular groups of them, but cannot investigate individual cases or matters that are non-devolved.

The Commissioner for Children and Young People in England has a UK-wide remit in respect of non-devolved matters for all children – a situation that is unsatisfactory. SCCYP is not fully 'Paris Principle' compliant, however is independent of government and is accountable to the Scottish Parliament.

Legislation to create a Scottish Commission for Human Rights was enacted by the Scottish Parliament in November 2006. The proposals are designed to comply with the Paris Principles, and the Scottish Commission for Human Rights is also independent of the Scottish Government and accountable to the Scottish Parliament. The Commission will be established by spring 2008.

NGO Recommendation

- The role of the **Scottish Parliament** must be to ensure that SCCYP and other Human Rights Commissions / Commissioners are adequately resourced to perform their statutory duties, and must not be subject to interference that might compromise their independence. The **Scottish Parliament** should ensure that the remit of SCCYP complies with the Paris Principles.

1.2 Training on provisions of UNCRC

The UNCRC still does not form a meaningful part of training of all professionals who work with children. Whilst there is now a UNCRC component in teacher training in some colleges in Scotland, many NGOs question whether this has translated effectively to the classroom, and training on the UNCRC for previously qualified teaching / ancillary staff varies widely across education authorities.

Training for many professionals is very often discretionary rather than mandatory.

NGO Recommendation

- The **Scottish Government** must ensure that there is a single integrated approach to children's rights training, and ensure that such training on the UNCRC is mandatory for all people in Scotland whose work involves children, from the most senior judges and police officers to nursery staff and classroom assistants in all schools, (including those in the independent sector).

1.3 Measures taken or foreseen to make the principles and provisions of the UNCRC widely known to adults and children

The UNCRC is taught very sparingly, if at all, in schools. A consultation by The Children's Parliament⁴ carried out in 2006⁵ illustrated that only 53 out of 400 children had any knowledge of the UNCRC, and only slightly more had any understanding of what was meant by the term 'rights'.

There has been little progress on education and dissemination since the 2002 Concluding Observations. Leaflets produced by the Scottish Child Law Centre and funded by the Scottish Executive giving information on the UNCRC are out of date and have not been followed up since they were distributed more than five years ago.

There is a general lack of knowledge and understanding of human rights amongst the public in Scotland⁶ as in the rest of the UK. A 2006 Report by Amnesty International⁷ revealed that 65.5% of those public authorities surveyed either did not understand their duties under the Human Rights Act 1998 or could not provide evidence of steps taken to comply with those duties.

NGO Recommendation

- The **Scottish Government** should develop and resource a comprehensive strategy for disseminating knowledge on human rights with particular emphasis on the UNCRC and the ECHR throughout Scotland. The UNCRC should be incorporated into the Early Years and 5-14 curricula in a meaningful and age appropriate way.

⁴ NGO that provides opportunities for children aged 9 to 14 years old to engage in local, national and international democratic processes.

⁵ Consultation on behalf of the Scottish Executive Education Department in October 2006 in school and community settings in South Ayrshire, Western Isles, Midlothian and City of Edinburgh

⁶ MORI poll for the Justice 1 Parliamentary Committee 2005 revealed that the term 'human rights' meant nothing to 29% of respondents (percentage was higher amongst poorer respondents)

⁷ Amnesty International Report September 2006

1.4 Data collection, monitoring implementation of the UNCRC, allocation of resources

There is no one body with overall responsibility for monitoring the implementation of the UNCRC in Scotland. The collection of data linked directly to the UNCRC is not currently in place, nor does the Scottish Government present annual reports for debate in the Scottish Parliament on the implementation of the UNCRC. There is no national plan of action as such for children. The Scottish Government does not currently disaggregate figures for expenditure on children from the total budget, which makes it difficult to analyse what proportion of sectoral and total budgets is spent on children, and assess whether resources are allocated to the maximum extent available.

NGO Recommendations

The Scottish Government should:

- Assign coordination of the implementation of the UNCRC to a body with an adequate mandate and sufficient resources;
- Ensure that disaggregated data is collected on all persons under 18 for all areas covered by the UNCRC as well as undertaking sectoral budgetary scrutiny and analysis of resources expended on persons under 18. This should be published annually.

CHAPTER 2 – GENERAL PRINCIPLES

2.1 Non-discrimination

There has been no monitoring carried out on a UK-wide basis of the comparative enjoyment of rights by children in different parts of the UK, and therefore no comprehensive strategies put in place to eliminate all forms of discrimination as a result of such monitoring. NGOs are seriously concerned about the lack of progress in improving the situation of Gypsy / Traveller children, disabled children and those with additional support needs, looked after and accommodated children (children in alternative care) and asylum seeker children.

For example, when Gypsy/Traveller children were asked⁸ if discrimination (being picked on, called names, bullied) was happening more or less than 3 years ago, 45% of the respondents reported the situation had got worse, only 10% felt things had got better, and 39% felt the situation had remained the same.

NGO Recommendation

- The **Scottish Government** must tackle all forms of racism and discrimination in Scotland; discrimination against the Gypsy/Traveller community in the media and in the general population must be dealt with in the same way as it is dealt with in respect of other minority ethnic groups.

Services for children with complex needs can often be seen by public authorities in the "charitable terms" described in the Committee's General Comments 2003⁹, and parents taking a pro-active stance in respect of requesting services for their children can be seen as overly demanding, sometimes even intimidatory towards staff, simply for advocating that their child has a legal right to a service.

Families with a disabled child are disproportionately represented in lower income families.

NGO Recommendations

- **Local authorities** and other bodies must receive additional funding from the Scottish Government to ensure that care and support is provided to disabled children / children with additional support needs in a way that recognises the rights, needs and aspirations of the individual and takes full account of the views of the child as well as the parents;
- Any measures to address child poverty by the **UK and Scottish Governments** must consider the specific needs of disabled children and children with additional support needs and their families, as well as the need to address poverty among disabled parents.

⁸ 2005 report by Save the Children Scotland⁸ - survey a repeat of their 'Having Our Say' Peer Research Project Report in 2001.

⁹ UN Committee on the Rights of the Child General Comments No.5 CRC/GC/2003/5

CHAPTER 3 – CIVIL RIGHTS AND FREEDOMS

3.1 Physical Punishment

Currently in Scotland, the law does not give children the same protection from assault as it gives to adults. The Criminal Justice (Scotland) Act 2003 provides for a defence of “justifiable assault” on children by adults, if such an assault can be deemed to be “reasonable chastisement”.

In contradiction of the Committee’s recommendations in 2002, there has been no sustained national campaign to promote positive, participatory and non-violent forms of discipline.

NGO Recommendations

The Scottish Government should:

- Amend the Criminal Justice (Scotland) Act 2003 to make any form of physical violence against a person under 18 a criminal offence and remove the defence of ‘reasonable chastisement’;
- Initiate without further delay widespread promotion of positive, participatory and non-violent forms of discipline and public education programmes on the negative consequences of corporal punishment.

3.2 Emerging issue - Freedom of association and peaceful assembly

The Antisocial Behaviour etc. (Scotland) Act 2004 Part 3, places unnecessary restrictions on the right to freedom of association and assembly by giving police new powers to disperse and exclude, for a set period of time, groups of two or more people in designated areas, where their presence “is causing or is likely to cause distress to any members of the public.” Orders can prohibit anyone who does not reside within the designated area to leave and not return to the area for up to 24 hours, even if they have done nothing wrong. Dispersal orders are indiscriminate, and curtail the rights of law abiding people.

NGO Recommendation

- The **Scottish Government** must amend the Antisocial Behaviour etc. (Scotland) Act 2004 to reflect the terms of Article 15 (2) of the UNCRC, and to take account of Article 11 of the ECHR.

CHAPTER 4 – FAMILY ENVIRONMENT AND ALTERNATIVE CARE

4.1 Looked after children

Children in alternative care or ‘looked after and accommodated children’ continue to be one of the most marginalised groups in Scotland. Many of these children have suffered from the impact of poverty and deprivation on their families as well as the effects of drug and alcohol use, neglect and abuse. Poor educational achievement, health problems and mental illness disproportionately affect this group.

Looked after and accommodated children still do not have a right to independent advocacy services enshrined in law. Recent funding cuts in many local authority areas have resulted in reductions in levels of independent advocacy services. Those living in foster care and children with additional support needs continue to have only limited access to independent advocacy services despite their increased isolation.

NGO Recommendations

The Scottish Government should:

- Initiate a national strategy for looked after and accommodated children to inform services and policies. The strategy should include provision for improved training and conditions for foster carers and residential childcare workers, and provide more resources to adequately support looked after young people.
- Enshrine in law the legal right to independent advocacy, and put in place sufficient services to make it consistent and accessible.

CHAPTER 5 – BASIC HEALTH AND WELFARE

5.1 Child poverty

Nearly 1 in 4 children in Scotland are officially recognised as income poor. It is almost impossible to ascertain whether the government has taken “all necessary measures to the ‘maximum extent of...available resources’ to accelerate the elimination of child poverty”, as the Scottish Government does not currently collate public spending data in a way that can be used to monitor how much spending is allocated towards eradicating child poverty.

The reduced rates of benefit entitlements for 16 and 17 year olds, including housing benefit, continue to have a detrimental effect on young people.

NGO Recommendations

The Scottish Government must:

- Implement an action plan to eradicate child poverty in Scotland as an urgent priority, including a commitment to the UK target of halving child poverty by 2010;
- Ensure more transparency in the amount spent on ending child poverty and in monitoring this spending.

The UK Government must:

- Urgently increase investment in respect of both in and out of work benefits. To achieve its target to halve levels of child poverty by 2010, the UK Government needs to invest an additional £4 billion;
- Ensure that young people have entitlement to non-discriminatory levels of benefits.

5.2 Breastfeeding rates

Breastfeeding rates in Scotland have not risen substantially since 1999 and remain pitifully low, especially in poorer communities, despite the enactment of the Breastfeeding, etc. (Scotland) Act 2005.

The UK government has not implemented the *International Code for Marketing of Breast-milk Substitutes*, instead adopting an EU directive on the composition and marketing of baby milks, which many professional bodies and NGOs see as increasing the use of substitutes.

NGO Recommendations

- The **Scottish Government** must initiate a health education campaign to encourage breastfeeding by mothers in all income groups, with resources targeted at mothers living in poverty, particularly teenage mothers;
- The **UK Government** must make more progress in the implementation of the International Code for Marketing of Breast-milk Substitutes and the World Health Assembly’s International Marketing Code.

5.3 Teenage pregnancies and sexual health strategies

Rates of teenage pregnancies in Scotland have changed very little since 2002. Scottish Government figures show that the rate of pregnancies for every one thousand 15 -19 year old girls rose from 55.6 in 2004 to 56.7 in 2007. They also indicate that the Scottish Government is unlikely to fulfil its target for cutting accidental conceptions among school aged girls in poorer communities. The teaching of sexual health education varies greatly in schools across Scotland, and is sometimes dependent on the attitude of teachers or parents.

Many children across Scotland face considerable barriers to accessing confidential sexual health services, particularly in rural areas.

NGO Recommendations

The Scottish Government should ensure that:

- All children have access to quality sex and relationship education that is appropriate for their needs and age and regardless of the views of their parents and / or teachers;
- All children have a choice of sexual health services that they can freely access locally and confidentially.

5.4 Mental Health

NGOs are of the view that improvements have been slight since 2002, and little has been acted upon since the Scottish Executive Review of Child and Adolescent Mental Health (CAMH) Services in 2005. There is little evidence of much needed development being in place, and it would appear that CAMH services are as stretched as ever. There are still shortages of child psychologists and adolescent counselling services, and many children have difficulties in accessing services, particularly in rural

NGO Recommendation

The Scottish Government must:

- Improve access to mental health services for children, and ensure that services are local, accessible, and child friendly with more training for frontline staff.

5.5 Emerging Issue – Substance Abuse

The problem of children affected by parental drug and alcohol abuse was not mentioned in the 2002 Concluding Observations. Current estimates suggest that there are 60,000 children affected by parental drug use, and 100,000 children affected by parental alcohol abuse in Scotland.

Children of parents / carers with substance abuse problems often suffer from lack of parental care and stability, increased risk of violence, stigma and isolation, fear of being removed from their families, poor school attendance, and some have to shoulder the burden of caring for younger siblings.

NGO Recommendation

The Scottish Government must:

- Ensure greater long term and sustainable funding of services for children affected by all kinds of substance abuse with children having a say in the design and delivery of services. There should be regular multi-disciplinary training and development to help staff understand the effects on children of parental substance abuse; and more emphasis on early intervention and services based in non-stigmatised settings.

CHAPTER 6 – EDUCATION, LEISURE AND CULTURAL ACTIVITIES

6.1 Education

Participation in education

NGOs have concerns that children in different schools are having entirely different experiences of pupil councils – and of being consulted in other ways. A survey of just under 2000 school pupils aged 11-18 commissioned by the Scottish Consumer Council (SCC) in 2007¹⁰, showed that 40% of the total sample disagreed or strongly disagreed with the statement that “the [pupil] council has given me a say on how my school is run”.

NGOs would like to see communication impairment being recognised and addressed in the same way as a physical impairment. There is no co-ordinated, strategic plan for the delivery of such support in Scotland, but such equipment is vital for many children to enjoy their rights.

NGO Recommendations

The Scottish Government should:

- Ensure that the UNCRC and ECHR is reflected in the overall ethos and management of schools;

training of staff and incorporating the UNCRC and ECHR into the curricula would go some way towards achieving this;

- Develop guidance for all schools on pupil participation to ensure consistent working standards across Scotland;
- Put in place a co-ordinated, strategic plan for the delivery of communication aids for every child with communication impairment.

Exclusions

The Scottish Executive / Government figures show that school exclusions for a fixed period continued to rise each year between 2003/04 and 2006/07.

Pupils entitled to free school meals (one of the main indicators of poverty), pupils with additional support needs, and pupils looked after by the local authority, all had higher exclusion rates than other pupils. Where a pupil had all three risk factors the exclusion rate was over 15 times that of the overall school population. Where pupils had been assessed or declared as having a disability, the rate of exclusion was 50 % higher than amongst other pupils.

¹⁰ Poll conducted by Ipsos MORI in Scotland for Scottish Consumer Council in September 2007

NGO Recommendation

- The **Scottish Government** must look at further ways of reducing exclusions in schools and pilot alternative methods of engaging excluded children in the education system.

Inequalities in educational attainment

Child poverty is linked inextricably with inequalities in educational attainment. In the most disadvantaged communities, 11% of children leave with no qualifications, compared with the national average of 3%.

The experience of many children in Scotland with additional support needs is that they are not being provided with a level of service that many would regard as essential for the child to achieve his or her full educational potential.

NGO Recommendation

- The **Scottish Government** must target resources to address inequalities in the educational attainment of the poorest children, looked after children, Gypsy / Traveller children, disabled children / those with additional support needs and asylum seeker and refugee children;

Bullying

The highest percentage of calls over the last five years to the ChildLine Scotland helpline (around 27%) relate to bullying. The widespread nature of the problem was also reflected in a 2006 research report by LGBT Youth Scotland (an organisation working towards the inclusion of Lesbian Gay Bisexual Transgender young people in Scotland). This research found that:

- 88% of respondents were aware of 'general' bullying taking place in their schools and 81% of respondents were being or had been bullied at school.
- 72% of respondents stated that bullying occurred in their schools 'Frequently' or 'Often'. 4% stated that it happened 'Sometimes', and 10% 'Rarely'.

NGO Recommendation

- The **Scottish Government** must ensure that effective anti-bullying policies are in place in every school, and that staff in all schools are properly trained in equality and diversity issues, in order to reduce the likelihood of bullying incidents and ensure that all children regardless of ethnicity, gender, sexual orientation, religion or ability experience a healthy, fulfilling and safe education.

6.2 Cultural and Leisure Activities

Emerging issue – The importance of play

The topic of play was not specifically dealt with under the 2002 Concluding Observations. Surveys by SCCYP and others consistently show that things to do and places to go that are affordable and appropriate for their age group is the main priority for the majority of children who took part, particularly for the 14-18 age group¹¹.

Play spaces are being reduced and restricted: open spaces, particularly in cities where green spaces are at a premium, are being sold off by local authorities to private developers for housing and the views of children are not taken into account in the planning processes.

NGO Recommendation

The Scottish Government must:

- Develop a National Play Strategy in consultation with children, SCCYP and the voluntary sector as soon as practicable: the strategy should include public awareness raising on the importance of play in children's development. Children should be able to participate in planning processes. There should be a presumption against development of open spaces especially in areas lacking in play spaces.

¹¹ SCCYP / Young Scot National Consultation with Children and Young People 2005

CHAPTER 7 – SPECIAL PROTECTION MEASURES

7.1 Asylum seeker and refugee children

The experience of NGOs in Scotland is that there has been a lack of notable progress in addressing the 2002 Concluding Observations in respect of asylum seeker children. Initiatives in Scotland to improve services to asylum seeker children are limited in their impact by the prescriptions of immigration legislation and the operational policy and practices of the UK Border and Immigration Agency.

The main concerns of NGOs centre around:

- Asylum seeker families with children being removed from their homes in 'dawn raids' prior to being deported;
- The continuing detention of asylum seeker children;
- Asylum-seeking families being provided with lower levels of income support than that given to citizen families;
- Access to nursery schooling for asylum seeker children;
- Lack of a formal guardianship scheme for separated children: research by Glasgow University and Scottish Refugee Council illustrated the shortfalls in support services particularly in relation to inappropriate accommodation¹²;
- Lack of availability of effective legal representation in Scotland for separated children and other children in the immigration and asylum systems.

The current Scottish Government announced on 3 August 2007 that asylum-seeking children who had been in Scotland for three years prior to December 2006 should have access to higher education at home student rates and Educational maintenance allowance.

NGO Recommendations

The UK Government must:

- Withdraw its general reservation on immigration and asylum and bring its immigration and asylum systems into line with the UNCRC;
- Give consideration to devolved arrangements in Scotland such as the Children (Scotland) Act 1995, when implementing policy that affects asylum seeking children in Scotland.

- Revoke Section 9 of the Nationality, Immigration & Asylum Act (Treatment of Claimants, etc.) 2004 so that families continue to be supported while they remain in the UK;
- Introduce a statutory guardianship scheme for all separated children, and any reform to the care of separated children must be formulated within the context of the UNCRC;
- Ensure the availability of, and adequate funding for, appropriately trained legal practitioners, before selecting any specialist authority for the reception of separated children;
- Apply the presumption in the review of legacy cases that families with children who have integrated well into communities will be granted leave to stay in the UK, and shift the onus onto the Borders and Immigration Agency to show that there are compelling reasons why these families should be deported.

The Scottish Government must:

- In discussion with the UK Government, clarify the role and responsibility of local authorities in Scotland for supporting destitute asylum-seeking families to ensure that children are not made destitute, or forced to rely on charitable support;
- Implement the recommendations of Her Majesty's Inspectorate of Education in Scotland (HMIE), in 2006 in respect of services provided to the children of asylum seekers¹³;
- Ensure that adequate resources are in place to ensure that all separated children can be allocated a social worker and appropriate accommodation to meet the specific needs of children;
- Press the UK government to introduce a guardianship scheme for separated children, however should the UK government continue to refuse to do so, the Scottish Government should pilot such a scheme as a matter of urgency;
- Ensure that any authority selected in Scotland as a "dispersal area" is able to meet the demands for good quality children's immigration advice.

¹² *This is a Good Place to Live and Think About the Future*, the needs and experiences of unaccompanied asylum-seeking children in Scotland, March 2006, http://www.scottishrefugeecouncil.org.uk/pub/UASC_report

¹³ <http://www.hmie.gov.uk/services/glasgowasylum.asp>

7.2 Sexual Exploitation and trafficking

There is a lack of skills among front line professionals regarding the identification of child victims of trafficking, a lack of safe accommodation and a lack of specialist services to meet their needs. The recording and monitoring of trafficked children is also inadequate and many of these children go missing from local authority care. These children would benefit from the appointment of a guardian to ensure their best interests were prioritised.

NGO Recommendations

- The **Scottish Government** should develop appropriate mechanisms and ensure high quality training of professionals for the identification and support of child victims of trafficking;
- The **UK Government** must fully resource the UK anti-trafficking action plan and ensure that all child victims of trafficking are protected in line with international human rights standards.

7.3 Children in conflict with the law – Administration of juvenile justice

Since 2002 the UK and Scottish governments have made it clear they have no plans to raise the age of criminal responsibility – in Scotland currently eight years old.

In 2004-05 a total of 7652 persons aged under 18 (including 123 under 16) were convicted in Scottish courts. Of these, 749 resulted in a custodial sentence, including 20 for persons aged under 16.

Where a child is aged over sixteen, the presumption in Scotland is that the case will be dealt with by prosecution in the courts, in contradiction to the Committee's recommendation in 2002 for the Scottish Executive to extend the Children's Hearing System to include 16 and 17 year olds. Children under 16 can be tried as adults, if the Lord Advocate (senior Law Officer in Scotland) deems it appropriate.

The Scottish Executive have not reviewed the status of young people of 17 years of age for the purpose of remand.

Every child in care, whether in secure accommodation or other residential units, should have the right to an independent advocacy service, but these services are over-stretched and under-resourced.

NGO Recommendations

The Scottish Government should ensure that:

- The minimum age of criminal responsibility in Scotland should be raised considerably;
- No child under the age of 18 is tried as an adult in Scotland, irrespective of the circumstances or the gravity of his/her offence, and
- The Children's Hearing System should be allocated such resources as are required to extend the system to 16 and 17 year olds;
- Children aged under 18 should be placed in a specialised secure unit with staff trained to address mental health issues and the specific needs of vulnerable children;
- The right to independent advocacy for all looked after and accommodated children including those in secure accommodation is enshrined in law.

7.4 Emerging Issue - Antisocial Behaviour Act etc. (Scotland) 2004

The Antisocial Behaviour etc. (Scotland) Act 2004 Part 2 enabled Antisocial Behaviour Orders to be used against persons aged 12 to 15. Scottish Government guidance on the use of ASBOs for under 16s makes clear that they should complement the Children's Hearings System. However, there have been calls from some politicians and in the media for local authorities and the police to make more use of powers contained in the 2004 Act, and NGOs in Scotland committed to advocating for human rights, should not be complacent about the potential effect of the Act.

NGO Recommendations

The Scottish Government must:

- Amend the Antisocial Behaviour etc. (Scotland) Act 2004 to ensure that the 'best interests' of the child is always paramount in any proceedings affecting that child.

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