

Public Participation at the Scottish Parliament

June 2022

About Together (Scottish Alliance for Children's Rights)

Together (Scottish Alliance for Children's Rights) is an alliance that works to improve the awareness, understanding and implementation of the UN Convention on the Rights of the Child (UNCRC) and other international human rights treaties across Scotland. We have almost 500 members ranging from large international and national non-governmental organisations (NGOs) through to small volunteer-led after school clubs. Our activities include collating an annual *State of Children's Rights* report to set out the progress made to implement the UNCRC in Scotland. The views expressed in this submission are based on wide consultation with our members but may not necessarily reflect the specific views of every one of our member organisations.

Introduction

Together welcomes the opportunity to submit evidence to Scottish Parliament's inquiry on how its work involves, reflects, and meets the needs of the full range of communities it represents.

Children's participation is at the heart of child rights-based approaches. Children have the right to be heard in all decisions that affect them and to have their views taken into account (Article 12). This means children's views must be heard and listened to in a range of different environments, including within the Scottish Parliament. Following the unanimous passage of the UNCRC (Incorporation) (Scotland) Bill, the Scottish Parliament will soon be under a duty to report on what it is doing to promote and progress children's rights (Section 16(b)). Accordingly, it continues to be of the utmost importance that all children and young people are represented in the work of Scottish Parliament.

1. *In your experience, which group/s are currently under-represented in the work of the Scottish Parliament and why do you think this?*

Together acknowledges the increased efforts by Scottish Parliament to ensure children and young people inform its work. There have been several recent examples of promising practice. For example, when the Equalities and Human Rights Committee examined the UNCRC (Incorporation) (Scotland) Bill, members held numerous engagement sessions with children and young people. The Committee also produced a child-friendly consultation paper and resources to help children build their understanding of the issues. Facilitated by Together and our member organisations, members of the Committee enthusiastically engaged in these [sessions with children and young people](#) by joining in with the games and activities.

The following quote is from a participant, and it identifies how much children and young people valued the Committee's engagement.

"I really enjoyed taking part and felt like my voice was heard... I thought having the Scottish Parliament scribes taking notes was really good and made the event not tokenistic as you knew that your voices and views were being noted down. Thank you again."

The Committee also created a child-friendly version of the Stage 1 report so that participants could see how their views had influenced the Committee's consideration of the issues.

This report encompassed what the Committee heard and the next steps for the Bill.

The next quote is from a participant, and it highlights the importance of the Committee providing children and young people with child-friendly feedback.

"I really enjoyed it all and it was a great opportunity to help advocate for young carers and get our views across on the UNCRC bill! I can't wait to read the notes that are sent out, and to see where it goes from there!"

Another positive example is the Equalities and Human Rights Committee's creation of a ['Meeting in a Box'](#). This contained information and tools to help members of the public host meetings and facilitate communities to share their views on the Children (Equal Protection from Assault) (Scotland) Bill. Developing this child-friendly resource supported 260 children from P5 to S6 to share their views. Supporting children and young people to share their views can help to ensure Scottish Parliament's work involves, reflects and meets the needs of children and young people.

Whilst acknowledging these increased efforts, more still needs to be done to build on this progress and embed children's participation across the whole of the Scottish Parliament. Decision-makers are encouraged to work with children and young people in an inclusive way to ensure that their views are heard, valued, and included in decision-making. In our State of Children's Rights Report for 2022, we asked organisations that work with children and young about some of the barriers that make it difficult for children and young people to participate.

Here is a non-exhaustive list of the reasons they shared:

Limited resources

Resistance to change by some decision-makers can be a hurdle for children's participation. This requires additional time and resources to overcome, which many organisations do not have. At times, adults can be unwilling to engage with children and young people directly. Subsequently, this places a reliance on third-sector organisations to gather children's views themselves and then feed these back to decision-makers in written form.

Short timeframes

Where decision-makers have commissioned projects to gather the views of children and young people, these can run for short timeframes to fit with their own deadlines. These short deadlines do not give time to provide sufficient support and preparation time for the children and young people. As a result, this makes it difficult to gather the views of children and young people.

Additional barriers to participation

Some children are at an increased risk of being underrepresented in decision-making because the relevant adults do not understand how to involve these children. They may have a lack of knowledge about using different communication methods, consent, and safeguarding. Groups of children and young people who are most at risk may include those who are in places which are difficult to access, for example, children living in rural areas, hospitals, and secure accommodation; those with additional support needs; early years and young children; Care Experienced; asylum-seeking children and refugees; and racialised and ethnic minority children.

The Scottish Parliament must ensure that *all* children are supported to influence its processes. Additional training and resources are required to support the gathering and representation of these children's views and this can be costly and time-intensive.

2. What could the Scottish Parliament do to make it easier for these groups to be involved in the Parliament's work?

The UN Committee has noted nine basic requirements that must be followed in all processes which involve children.¹ Following these nine basic requirements can make it easier for children and young people to be involved in Scottish Parliament's work. The nine requirements are as follows:

¹ CRC/C/GC/12: Paras: 132-134.

1. **Transparent and informative:** provide children with accessible information about their right to be heard, how this participation will take place, its scope, purpose and potential impact.
2. **Voluntary:** children should never be coerced into expressing views against their wishes; children must know they can cease being involved at any time.
3. **Respectful:** children's views must be treated respectfully. Participation must be sensitive to children's backgrounds and experience. Children should have opportunities to initiate ideas and activities.
4. **Relevant:** ensure that the issues being considered are relevant to children's lives and allow them to draw on their knowledge, skills and abilities.
5. **Child-friendly:** create a child-friendly environment, working methods and resources by adapting these to children's capacities. Support children to learn about a topic so that they are confident to contribute their views.
6. **Inclusive:** ensure opportunities without discrimination of any kind. Participation must be inclusive and encourage opportunities for marginalised children.
7. **Supported by training:** adults should be supported to obtain the skills to facilitate children's participation effectively. Children can be involved as trainers to help adults learn.
8. **Safe and sensitive to risk:** adults must minimise the risks children may face. They must make sure children are aware of their right to be protected from harm and know what to do if something is worrying them.
9. **Accountable:** commit to following-up with children on how their views have been interpreted, used and how they have influenced decisions.

3. *Is there anything the Parliament is currently doing that you think would discourage people from these groups working with us? If so, how do we need to change?*

Ensuring child-friendly spaces for engagement is key to enabling and empowering children to share their views. Children should not only be involved in identifying issues which need to be changed but also involved in designing improvements that are needed and scrutinising their implementation. Children want to be involved from the beginning and throughout. They want a balance of power that allows the engagement to go beyond simple consultation towards co-production.

Children and young people may be discouraged from working with Scottish Parliament because of the following reasons (these were gathered for our State of Children's Rights Report 2022 and reflect children's engagement with a broad range of public authorities, not just the Scottish Parliament):

Participation takes the form of a consultation versus co-production

Simply consulting with children and young people, instead of working with them to create a solution can create the feeling of participation being a 'tick-box' exercise. Compounded by poor feedback loops where children and young people are left not knowing the outcome of their participation, this can result in children feeling disengaged and discouraged from future participation opportunities.

Prioritising other commitments

Decision-makers can prioritise other commitments at the expense of the children. This may include cancelling meetings at the last minute, arranging meetings at times and venues not suitable for the children, and asking children to come into 'adult' spaces whilst being unwilling to go to children in their spaces. Decision-makers must demonstrate their respect for children's views through their own actions, as much as their words.

Limited resources

Inadequate time and support costs make it difficult to have skilled and knowledgeable staff available to support the participation of children and young people. This can make it difficult for children and young people to engage with Scottish Parliament inclusively and effectively. Sufficient resources must be dedicated towards ensuring children's engagement.

4. *What should we do to make sure that the people involved in the Parliament's work are more diverse and reflect the wide range of communities we represent?*

Please see our answer to question two.

Scottish Parliament can build awareness of opportunities to participate by targeting spaces used by children and young people. Scottish Parliament should use child-friendly methods to share this information. This may involve using the likes of posters and animations. When disseminating this information, child-friendly language, accessible versions and translated versions should be used.

5. *Thinking about the groups you have identified as being under-represented in our work, are you aware of any good examples of organisations working in a creative/supportive way to hear the views of these groups? If so, can you tell us more about what this involved?*

We encourage Scottish Parliament to read chapters two and three in Together's State of Children's Rights Report for 2022. A whole host of promising practice examples can be found in these chapters. The report can be found [here](#).

We direct the Scottish Parliament to also consider the findings and recommendations in our Rights Right Now! report. [This can be accessed here](#).

6. *Are there other ways we can involve these groups in the work of the Parliament? What are they and when should we use them?*

Organisations that support children and young people can aid children's participation and involvement. However, Scottish Parliament must not be over-reliant on these organisations at the expense of engaging with children directly. Sufficient investment and resources must be provided to help these organisations involve children and young people.

7. *We want to involve under-represented communities in designing improvements to the way that we work. In your view, how can we best do this?*

Please see our answer to question four.

8. *Which networks should we connect with to make sure we reach people in the under-represented groups you've highlighted?*

Together is an alliance of almost 500 members, many of which work with children and young people who are under-represented. Many of our members have carried out fantastic work, empowering seldom heard children and young people to have a say in the issues that affect them.

Participatory opportunities can place additional demands on both organisations and children and young people. Therefore, we suggest that if Scottish Parliament does reach out to us or our members, a balanced approach is taken between offering children and young people to be involved in Scottish Parliament's work whilst not overburdening them. We suggest that to achieve this, Scottish Parliament first reviews what recent work it has already commissioned and discover the views of children and young people which have been already gathered by organisations. From there, Scottish Parliament can then assess if further consultation is required.

9. *To make sure that the groups you've identified are involved in the Parliament's work from now on, which changes should we prioritise (do first)?*

Scottish Parliament should use Child Rights Impact Assessments (CRIAs) to help plan and produce any participation strategy. CRIAs can help to identify groups of children and young people Scottish Parliament should be engaging with. Embarking on this process will enable Scottish Parliament to better involve, reflect and meet the needs of all children and young people it represents.

10. *How will we know if we have been successful?*

Scottish Parliament should establish a monitoring and evaluation framework to examine its ongoing success. To do this, Scottish Parliament ought to: measure what has been achieved and why; set rights-

based indicators which take into consideration different cultural, social, and economic contexts; and gather both qualitative and quantitative feedback and ideas of improvement from children and young people. Continually updating its CRIAs can help Scottish Parliament to set out how children's rights are being considered and upheld on an ongoing basis.

In addition to the suggestions above, Scottish Parliament should establish child-friendly ways to be held to account. This can support children and young people to hold Scottish Parliament to account if it fails to involve, reflect, and meet the needs of all children and young people it represents. As part of this mechanism, Scottish Parliament should give children and young people the platform to meaningfully share feedback and find constructive ways to solve problems.

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