

What next for children's rights in scotland?

Governance fit for children seminar

Event Summary

Tuesday 28th June

Convention of Scottish Local Authorities (COSLA) Conference Centre



Save the Children

June 2011

Governance fit for children

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Introduction

The Governance Fit For Children seminar was held in Edinburgh on 28 June 2011. It was one of a series of events held across the UK, following the recent publication of European-wide research by Save the Children. The 'Governance Fit For Children' reports assess how far the General Measures of Implementation for the UNCRC have been realised in five European countries; including the UK. The UK report can be accessed online from the Save the Children UK website.

The seminar events aimed to stimulate greater dialogue around the GMI and to identify priorities for future action by the UK and devolved governments. The event in Edinburgh brought together a range of stakeholders from across the children's sector, key academics and the lead government official to discuss the significance of the findings for Scotland. Speakers were Louise King (Child Rights Advisor, Save the Children UK) and Nico Juetten (Parliamentary Officer, SCCYP). Douglas Hamilton, Head of Save the Children in Scotland, Chaired the event.

presentations

Douglas Hamilton, Head of Save the Children in Scotland and Chair of the event, introduced the event by providing a brief overview of the General Measures of Implementation and the role that Save the Children has played in progressing implementation of the UNCRC over recent years. Save the Children has been instrumental in developing an NGO coalition to promote the UNCRC (Together – the Scottish Alliance for Children's Rights), producing alternative reports to the UN Committee and successfully campaigning for the creation of the role of the Children's Commissioner. He said that Save the Children would continue to work with and support Scottish Government, the Scottish Commissioner and other organisations to progress implementation of the CRC within Scotland.

Louise King, Save the Children's UK Child Rights Advisor, stressed the importance of the GMI, warning that there is a tendency for the GMI to be overlooked in favour of thematic children's rights issues. She reminded attendees of the importance of the GMI and called for an institutionalised – not piecemeal – approach to implementing the Convention in Scotland and across the UK. This is important to ensure that public authorities are fully accountable for upholding children's rights. She noted some of the obstacles to that prevent this being done at present including the lack of a child's

rights culture and the focus on children within the family context or emphasis on parents/ family rights and needs.

Louise highlighted examples of achievements and successes at implementing the UNCRC within Scotland. In particular, she commended Scottish Government's efforts to engage and work with civil society and in responding to the UN Committee on the Rights on the Child Concluding Observations 2008. Louise praised the fact that the Scottish Government had formally and extensively consulted on its National Action Plan, '*Do the Right Thing*' and efforts to respond to all of the Concluding Observations (the only government in the UK to do so). Louise also highlighted examples of good practice from across the UK. Notably she welcomed the Welsh Assembly Government's Children's Rights Measure. She noted the importance of harnessing positive momentum and sharing good practice from across the UK. However, she noted that the report also highlights areas for improvement within the Scottish context. This included the lack of capacity within the Scottish Parliament to scrutinise the Scottish Government's efforts to progress children's rights; the lack of progress and commitment to child friendly budgeting and the lack of knowledge of the UNCRC amongst children. Louise ended her contribution by calling on key stakeholders in Scotland to deliver further progress in the run up to the next reporting stage in 2014.

Nico Juetten, Parliamentary Officer for the Scottish Commissioner for Children and Young People (SCCYP), focussed attention on three areas. Like Louise, he praised the Scottish Government's genuine attempts to engage with the UN Committee on the Rights of the Child and the reporting process. He reiterated that the positive steps taken by Scottish Government included responding to all the Committee's Concluding Observations, developing an action plan that addresses priority recommendations, committing to review the action plan at the mid point and doing this in an open and engaging way with civil society. Nico criticised government and public sector for failure to use Children's Rights Impact Assessments (CRIA), systematically, when making strategic, policy and budgetary decisions. He said that CRIA were an important tool that could assist in making informed judgements and decisions. He welcomed the Scottish Government's attempts to pilot the CRIA developed by SCCYP but noted that this only happened in one department. Nico said that the Welsh Assembly Government was ahead of Scotland and other parts of the UK in delivering GMI. He highlighted the Welsh Assembly Government's Children's Rights Measure as a very positive development and noted that every civil servant in Wales would receive training on children's rights as part of implementation of the Measure.

Angela Constance MSP, Minister for Children and Young People, welcomed the timing of the report and commended Save the Children for providing a 'very useful analysis' at an important midway point in the UN Committee's reporting process. The Minister reinforced the message from the report that while significant progress has been made, there was much more to do. She said that we should consider children's rights within the context of the Scottish Government's overall goal to improve children's life chances and take early action to ensure that children achieve positive outcomes. The Minister responded to a number of recommendations in the report. She told delegates that the Scottish Government would be '*actively considering what we might do in order to ensure that the UNCRC gets the legislative recognition that it deserves*'. The Minister stressed the importance of continued mechanisms and commitment to open and collaborative working between government, SCCYP and other key stakeholders. In relation to children's budgeting she said that she was not convinced that setting out spending on children was the best way to measure progress on children's rights, instead she believes the focus should be on assessing progress against outcomes

for children. The Minister emphasised that she was keen to receive feedback from the seminar and would consider any recommendations as part of the preparation for the interim report assessing progress on delivery of the National Action Plan 'Do the Right Thing'.

DELEGATE DISCUSSIONS

Following the presentations, delegates had an opportunity to discuss the report's findings and its implications for Scotland. Delegates welcomed the conclusions of the report but stressed that the challenge was now to take the recommendations forward. Delegates believed that action needed to be taken to address all aspects of GMI in Scotland. Delegates found it difficult to determine what recommendations should be prioritised in order to make the biggest difference to children's lives.

Delegates discussed the importance of incorporating the UNCRC into domestic law and the barriers that are preventing this from happening, particularly the inclusion of social and economic rights in the Convention and the negative attitude towards human rights amongst society. Delegates suggested a number of ways of addressing these issues. To bring about the necessary 'culture change' current action to raise awareness of the Convention must reach beyond imparting a basic understanding of the principles of the UNCRC to ensuring that its values are fully understood and internalised. A key challenge in bringing about this shift in attitudes is how to engage parents, wider society and the media in a positive way with this agenda. Delegates believed that there was a need to highlight examples of how incorporating the UNCRC can make a positive difference to children's lives. In addition, delegates felt it was important to link children's rights more directly with the current policy agenda and the outcomes being sought for children. There was a feeling that sometimes even the children's sector uses children's rights as a 'bolt on' and not part of the core agenda for children. There was a need to get better at highlighting that realising children's rights is about making a positive difference in children's lives.

Additional key themes emerged:

- The time is right, given the economic context and public spending cuts, to challenge government in Scotland to do more to make children visible in budgets and budgetary decisions. Delegates felt that this could be a useful tool to highlight the impact of decisions on children's life chances and could be a useful tool to highlight the unintended consequences of budgetary decisions.
- Children's rights need to join up more closely with human rights more broadly.
- The conclusions are relevant to all organisations and bodies working with or for children not just the national government. Delegates stressed the importance of engaging all relevant stakeholders in this agenda and called on all stakeholders, including the children's sector to take the conclusions and recommendations of the report on board.
- There is a need to strengthen the Scottish Parliament's role in scrutinising Government on this agenda. Given the technicalities of the GMI, to do this will require increased knowledge and understanding of the UNCRC amongst MSPs.

Save the children will work to take forward the recommendations from 'governance fit for children' in Scotland and across the uk.