

# Scottish Children's Rights Implementation Monitoring Group

Monday 25 June 2012

Scottish Government, Victoria Quay, Edinburgh

9.30 – 10.30am

## **Attended:**

Tam Baillie (Chair) - SCCYP

Juliet Harris – Together

Duncan Isles – Scottish Government (UPR recommendations)

Boyd McAdam – Scottish Government

Elizabeth Morrison – Together

Gita Sharkey – Scottish Government

Stefan Stoyanov – SCCYP

Scott Wood – Scottish Government

Linda Macdonald (notes) - SCCYP

## **1. Minutes of the meeting of 2 April 2012 for approval**

Minute approved.

## **2. Review of minutes of 2 April 2012**

### 4.3 Scottish Government guidance on Gypsy/Traveller site management

Written update provided by SW.

### 6.1 Child Trafficking

Written update provided by SW.

TB to meet with Aileen Campbell MSP and Christina McKelvie MSP in September.

- **Action:** SW to forward new contact information to attendees

### 6.2 Age assessment of asylum seeking children

JH noted that trial assessment has been discontinued.

### 7.1 Scottish Government UNCRC interim report

- **Action:** SW to attend meeting of UK Commissioners and Government officials in London on the 17<sup>th</sup> September.

#### GIRFEC mapping

SG is currently working on the format for presentation.

- **Action:** SW to share paper, when available

#### 4. General Principles of the UNCRC

##### Advocacy

The consultation analysis report is being finalised and will be ready for publication in the first half of July. The Government response will follow shortly thereafter.

##### Participation

Identification of examples of good practice to continue over the coming months.

##### Non discrimination – mosquito devices

- **Action:** SW to send update re. feedback from ACPOS regarding police powers.

#### 3. Frequency of SCRIMG meetings

SCRIMG terms of reference state that the group will meet every 6 months, although in practice the group has been meeting quarterly. It was agreed to discuss amending the terms of reference to at least 3 meetings a year at the next meeting of the group in September.

- **Action:** place terms of reference/meetings on agenda for next meeting

#### 4. Children & Young People Bill – Scottish Government legislative update and discussion

Work has progressed on the content of the Children & Young People Bill consultation paper. Publication is expected in the next two weeks. Children's rights provisions in the consultation paper will include questions on Ministerial and public sector duties; extension of the Commissioner's powers and formalised SG reporting every three years to Parliament. It will also contain questions relating to GIRFEC and Early Years.

There will be a three month public consultation period with the SG holding a series of stakeholder events.

Specific arrangements have been made for consultation with children and young people, with an extended consultation period to take summer holidays into account.

EM asked if there is a common overarching children's right framework across all services and policies. SW confirmed that duties will not be limited to children's services but are expected to have a wider scope.

JH asked about awareness-raising. SW responded there is a proposal for a duty on Ministers to promote awareness and knowledge in the consultation.

There will be a package of measures to ensure compliance.

'Due regard' is still under consideration, but there is no proposal to incorporate the UNCRC through this legislation.

JH asked about the wording around duties in the Bill. SW responded that they will begin by describing the purpose of the duty, allowing the bill-writers to find the form of words to accurately reflect this. There will be further discussion and feedback available through the consultation and events.

EM asked about means of redress. SW noted the proposed extension of the role of the Commissioner to undertake individual cases. Early discussions are taking place about how this might work in practice.

## 5. UPR recommendations

DI noted that it is helpful to have groups such as SCRIMG engaging in the UPR process.

The timescale for the UK formal response to the Human Rights Council is September. There have been government to government discussions in the UK, with a co-operative relationship between the administrations.

The UK government has made a commitment to further discussion with interested parties before the report is published.

Amongst the key issues highlighted in the review session were:

- children of prisoners
- child poverty
- the optional protocol on the involvement of children in armed conflict

It was agreed it would be useful to develop review and monitoring processes to align with the UPR.

- **Action:** discuss adding to terms of reference at next meeting.

It was also agreed that it would be helpful to speak to the Scottish Human Rights Commission, who have just published a briefing paper proposing a national human rights action plan. The plan will draw on UPR output, alongside research identifying key areas for action.

EM asked if the government has plans to publish an equivalent of 'Do the Right Thing' in response to the UPR. DI noted that it is not planned at the moment, but that there is potential for Scotland to think further about how to take ownership of the process.

TB asked for suggestions about how to influence the process at UK level. DI suggested that further engagement is taking place around areas of most immediate concern, but that there is limited scope on reserved matters – e.g. young people in the armed forces. However, there may be other areas where there are opportunities to address issues in Scotland. This is largely a process of continuing discussion between now and the end of August and providing Scottish input to the UK.

The best mechanism for feedback is correspondence and discussion through existing SG channels, who will pass on information to DI, who oversees the overarching human rights agenda. DI noted that he would be happy to have further meetings about issues identified in the Together UPR paper tabled for the meeting. Letters to ministers should still go to the relevant portfolio Cabinet Secretary or minister but could be copied to Roseanna Cunningham, who has the lead for human rights. Contact with officials should continue in the normal way.

## **6. Date of next meeting**

The next meeting of the group will take place on Wednesday the 19<sup>th</sup> September from 2-4 in the afternoon.

- **Action:** SW to book meeting room

<b>Summary of Actions</b>	<b>Responsibility</b>	<b>Progress</b>
<b>Updates</b>		
<i>Updates to be provided in advance of next meeting, to be circulated with agenda.</i>	All	On-going
<b>Child Trafficking</b>		
SW to inform group of new SG contact	SW	
<b>UNCRC Interim report</b>		
SW to attend BINOCC meeting with government officials from the jurisdictions in London on the 17 <sup>th</sup> September	SW	
<b>GIRFEC mapping</b>		
SW to share paper with group	SW	
<b>Non-discrimination/mosquito devices</b>		
SW to send feedback from ACPOS re police powers	SW	
<b>Terms of reference</b>		
Agenda item: Terms of Reference - frequency of meetings - UPR reporting process	SS/LM	
<b>Meeting room</b>		
SW to book meeting room for 19 <sup>th</sup> September meeting	SW	