Getting Ready for the UNCRC

UNCRC Workshop

SUPPORTING CHILDREN'S RIGHTS

UNCRC IN SCOTLAND

Workshop Outline

- Brief Intro to Children's Rights and the UNCRC (Implementation) (Scotland) Act 2024
- What is the legislation seeking to achieve?
- What does this mean for my area of work?
- UNCRC Help and Support from the Improvement Service

What are Human Rights?

- Human rights are a set of principles concerned with equality and fairness. They recognise our freedom to make choices about our lives and to develop our potential as human beings.
- They are about living a life free from fear, harassment or discrimination.
- You have them no matter where you are from, how old you are, what you believe, or how you choose to live your life.
- Governments cannot pick or choose which rights to honour. Your rights can’t be taken away from you.

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United Nations Convention on the Rights of the Child

- Most widely ratified international human rights treaty in history.
- Applies to everyone under the age of 18
- Sets out children's rights in a way which recognises that children are more vulnerable and need special protection.
- Starts with the premise that **children should grow up in an environment of happiness, love and understanding**
- Gives children status as having a distinct set of rights, not just passive objects of care and charity

Why are children's rights important?

- https://www.youtube.com/watch?v=hncO9xpcOGo

What does the UNCRC cover?

Provision
(survival needs, food and nutrition, health and shelter, an education)

Protection
(from all forms of harm and exploitation)

Participation
(as an active agent in their own lives and in society)

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What a rights-based approach is not?

- *'Adults just think children's rights means children get to do what they want. But that's not what it is. It just means that adults have to be kind to us and not shout or do bad things to us just because we're children.* ***They have to help us be the best we can be****'*

- Member of the Children's Parliament

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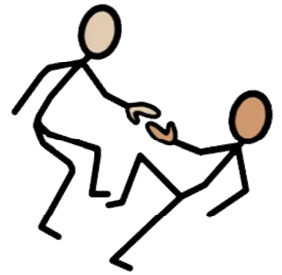
Exploring Some Articles

- UNCRC Article 20

I have the right to **special protection and help if I can't live with my own family**



UNCRC Article 17

I have the **right to information in ways I can understand**

- UNCRC Article 27

I have the **right to have a proper house, food and clothing**

- UNCRC Article 19

I have the right to be **protected from being hurt or badly treated**

- UNCRC Article 32

I have the **right not to work until I reach a particular age and should not be allowed to do dangerous work**

Children's Human Rights in Scotland

https://www.youtube.com/watch?v=JvqqRbZfulA

Top Issues identified by Children and Young People 2024:

- **Education (particularly for children with additional support needs)**
- **Poverty & Cost of living**
- **Discrimination**
- **Mental Health**
- **Climate Change**

Take a few minutes to think:

- Think about children and young people in your service (or community) area. What rights come to mind?
- Where are children and young people experiencing these rights e.g. in their home, community, health setting, partner organisation?
- Thinking again about children and young people in your community/service area, can you think of areas where it realising children's rights is challenging?

UNCRC (Incorporation) Scotland Act 2024

The Act aims to incorporate the UNCRC fully and directly into Scots law to ensure that:

- children's rights are respected and protected in the law in Scotland

- public authorities are legally required to respect and protect children's rights in all the work that they do

The intent behind the UNCRC Act is to deliver a proactive culture of everyday accountability for children's rights across public services in Scotland.

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UNCRC (Incorporation) Scotland Act 2024

“Decision makers and duty bearers in Scotland must now work towards embedding and respecting children and young people’s rights in every aspect of Scottish life. We want Scotland to be the best place in the world to grow up and this is now an incredible opportunity to make that a reality’

Chair of the Scottish Youth Parliament Mollie McGoran MSYP

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The Act: A proactive approach

- **Duty not to act incompatibly with the UNCRC (s6)** – placed on all those delivering 'functions of a public nature' include functions carried out 'under a contract or other arrangement with a public authority'. Applies to legislation arising from acts of the Scottish Parliament only.

- **Children's Rights Scheme (s11-13)** – Scottish Ministers to publish an annual plan and report on steps taken to further the UNCRC, including **children's participation**, **raising awareness**, **child rights budgeting**, **complaints mechanisms**, **child rights impact assessment** and more.

- **Public body reporting (s15-16)** – Listed public bodies to report on steps taken and steps planned to further UNCRC – **cross cutting across all services.**

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Challenging Breaches of Rights

- Children and young people can complain if they think their rights aren't being protected (s.7).
- No time limits on proceedings until children reach the age of 18 years old (s.7).
- Courts can decide if laws follow the UNCRC (s. 18-21)
- The Children and Young People's Commissioner will be able to help if someone wants to complain their rights are not being protected (s.10).
- A court could tell an organisation to change what they are doing, if the court agrees that they are not protecting children's rights properly (s. 18-21).

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A rights-based approach

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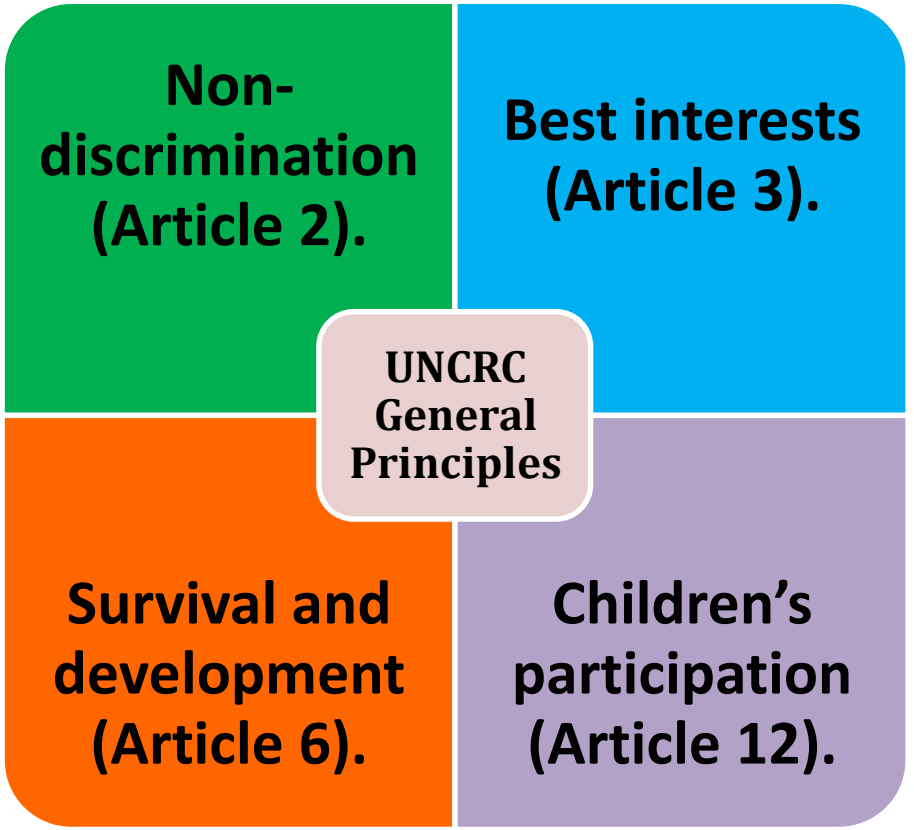

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Examples of Practice

- Can you think of some examples where you are already taking a children's rights approach?
- What difference do you think the new legislation will make for your work?
- What key areas can you focus on over the next 6 -12 months?

UNCRC Implementation Project

Help and support is available from the Improvement Service

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Getting Ready for Incorporation Framework: Key areas for consideration

- Leadership Commitment
- Participation of Children and Young People
- Training and Awareness Raising
- Empowerment of Children and Young People
- Child Friendly Complaints
- Child Friendly Publications
- Monitoring Progress
- Improving Practice
- Non-Discrimination & Rights at Risk
- Children's Rights Budgeting
- Accountability and Reporting on Children's Rights

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‘No Time to Waste’ … to Empower and Protect Children and Young People’s Rights to Climate Justice

- https://www.youtube.com/watch?v=zmhI6dlBydA

Find out More & Keep in Touch

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Join our Knowledge Hub:
https://khub.net/web/childrens-human-rights-in-scotland-uncrc

Resources and further links:
https://www.improvementservice.org.uk/products-and-services/consultancy-and-support/uncrc-implementation-project/resources

https://www.gov.scot/policies/human-rights/childrens-rights/