

Cross Party Group on Children and Young People

UNCRC Incorporation Bill

Tuesday 24th October 2023 13:00 – 14:30
Minutes

Chair: Meghan Gallacher MSP

Present

MSPs

Meghan Gallacher MSP
Pam Duncan-Glancy MSP

Invited guests

Liz Levy, Scottish Government Children's Rights Unit
Juliet Harris, Together Scotland
Olivia Brown, MSYP for Midlothian North and Musselburgh

Non-MSP Group Members

Parisa Shirazi, Children in Scotland
Arran Goodfellow, Children in Scotland
Sarah Paterson, YouthLink Scotland
Kevin Kane, YouthLink Scotland
Hannah Priest, Children in Scotland
Sophie Elliot, Children in Scotland
Angus Maclean, Befriending Networks
Gemma Richardson, Royal College of Paediatrics and Child Health
Clare Jamieson, Canongate Youth
Megan Williams, CCP Scotland
Mark Hutchison, FVA
Helen Forrest, Children's Health Scotland
Jennifer Forsyth, Obesity Action Scotland
Sarah Rogers, Families Outside
Wendy McAuslan, Scottish Attachment in Action
Lizz Toomey, Children in Scotland
Sarah Anderson, LGBT Youth Scotland
Caitlin Logan, One Parent Families Scotland
Kelly Munro, Carers Trust Scotland
Aneel Singh Bhopal, WSREC
Marguerite Hunter Blair, Play Scotland

Moira Greentree, Why Not? Trust
Orielle Taylor, YouthLink Scotland
Emily Beever, YouthLink Scotland
Anne Wison, Childrens Health Scotland
Elizabeth Lumsden, ROSPA
Megan Binns, Children 1st
Cathy McCulloch, Children's Parliament
Cherie Morgan, Play Scotland
Robyn Pattison, Forces Children Scotland
Kate Horsburgh, Zero Tolerance
Georgiana F Bugeag, United Nations House Scotland
Matt McDonald, Scottish Youth Parliament
Katy Nisbet, Clan Childlaw
Beth Davidson, Feeling Strong
Sarah Rogers, CELCIS
Joan Mowat, University of Strathclyde
Carol Robinson, University of Strathclyde
Virginia Radcliffe, Licketyspit Theatre & Play Company
Kate Mackinnon, CELCIS
Ewan Carmichael,
Ellie Craig MSYP, Scottish Youth Parliament
Lucinda Rivers, UNICEF UK
Leah Duncan-Karrim, Barnardo's

Welcome from chair

Meghan Gallacher MSP welcomed members of the CPG to the first meeting of the new parliamentary term. Meghan informed the group that the meeting would focus on the United Nations of Childrens Rights Convention (UNCRC) Incorporation Bill.

Meghan gave a brief introduction to the UNCRC Incorporation Bill, highlighting the journey it has had from being passed in Scottish Parliament at stage three, to being legally challenged by the UK Government and the Supreme Court.

She informed members that they would hear from those working directly with the Bill and learn what the revised Bill could mean for children and young people and those who work on their behalf.

Following this, Meghan said the members would have the opportunity for more in-depth discussion on the UNCRC Incorporation Bill.

Members were informed that the information shared by all members would be collated to create a summary to send paper that would be sent to the Equalities, Human Rights and Civil Justice Committee. Members were also given the option to feedback through a survey that the secretariat sent out before the meeting.

Meghan ran through a range of housekeeping measures before moving onto official business.

CPG Business and AGM

a. Convenors

Meghan stated that Kaukab Stewart MSP and Meghan Gallacher MSP were happy to continue in their convening roles of the group.

Proposer: Leah Duncan-Karrim

Seconder: Ewan Carmichael

b. Members of the group

The current 5 MSPs who are members of the group expressed their willingness to continue in their role. These are:

- Pam Duncan-Glancy MSP
- Jeremy Balfour MSP
- Fulton MacGregor MSP
- Colin Beattie MSP
- Karen Adam MSP

Proposer: Kevin Kane, YouthLink Scotland

Seconder: Georgiana Bugeag

c. Secretariat

Children in Scotland stated they were happy to continue in their role as the Secretariat for the Cross Party Group.

Proposer: Joan Mowat

Seconder: Sarah Paterson, YouthLink Scotland

d. Treasurer

YouthLink Scotland were happy to continue in their role as the Treasurer for the Cross Party Group.

Proposer: Ewan Carmichael

Seconder: Parisa Shirazi, Children in Scotland

Meghan passed over to Parisa Shirazi from Children in Scotland to discuss previous minutes and new members wanting to join.

a. Minutes

Parisa stated the secretariat had shared the previous minutes with members of the group. No issues were raised in relation to the minutes, and members were asked to confirm if they were happy to take the previous minutes as read.

This was approved by membership and the minutes were ratified.

e. New members of the group

The following organisations asked to join the CPG:

- Michael Heffernan
- Mark Hutchison
- United Nations House Scotland
- Justice and Peace Scotland
- Feeling Strong
- Kinship Care Advice Service for Scotland
- Carol Robinson
- CLD Standards Council Scotland

All members agreed for the above-mentioned organisations to join the group.

Proposer: Meghan Gallacher MSP

Seconder: Ewan Carmichael

Parisa then passed back to Meghan who briefly introduced and handed over to the speakers to share their experiences of working with the UNCRC Incorporation Bill.

Liz Levy, Scottish Government UNCRC Incorporation Bill Team

Liz is Joint Unit Head for the Children's Rights Unit (Scottish Government) who are working on the UNCRC Incorporation Bill.

Liz highlighted the 4 provisions which were identified as being out with Scottish Parliament powers:

- Section 6: Compatibility duty
- Section 19: Interpretation duty
- Section 20: Strike down power
- Section 21: Incompatibility declarator power

She went on to give an overview of the amendments that had been done since the Supreme Court judgement and the communication with the UK Government lawyers – who could not guarantee there would not be another referral to the Supreme Court. She stated the Scottish Bill Team carried out stakeholder engagement to ensure those who lobbied for the Bill understood the changes.

After the engagement work, they decided the most effective route forward was to choose the option which minimised the risk of another Supreme Court referral. The revised Bill would not have the coverage that was originally planned but it was the option that would provide the best coverage for children's rights possible.

Liz also stated Shirley-Ann Sommerville, Cabinet Secretary for Social Justice, was looking to hear from stakeholders and extended an invite to CPG members to contact her.

Juliet Harris, Director of Together Scotland

Together is an alliance of Scottish children's charities that works to improve the awareness, understanding and implementation of the United Nations Convention on the Rights of the Child (UNCRC). They do this by promoting the UNCRC, helping children's organisations to integrate the UNCRC into their work, and by monitoring and reporting on the progress made at a Scottish and UK level.

Juliet gave some context on UNCRC incorporation by highlighting countries that had already signed up to incorporating the UNCRC into law. She stated that although the Bill does not cover as much as initially was wished for due to devolution, it is still a good starting point and the beginning of the journey.

Juliet highlighted asks from Ministers:

- Commitment for funding to continue past 2024 for the UNCRC Implementation Programme
- A clear time scale of the review and subsequent action – key pieces of legislation being brought in

Olivia Brown MSYP, Scottish Youth Parliament

Olivia is a Member of the Scottish Youth Parliament for Midlothian North and Musselburgh.

Olivia highlighted that children and young people's rights are at the mercy of adults. She agreed with Juliet's point regarding the UNCRC Incorporation Bill in its new form still being a positive step for Scotland. Olivia stressed that challenges are not as excuse to be less though, and ministers needed to adapt and change to ensure the UNCRC can be incorporated as well as possible.

She highlighted 4 requirements for the UNCRC:

1. Cultural change – Scotland needs educated on how to uphold the UNCRC in daily life
2. Must have children and young people friendly communications – all communications must be respectful of the values of the Bill
3. Parliament needed to implement the UNCRC to the full extent
4. Parliament must act with urgency

Group Discussion Summary

Afterwards, Meghan and Pam gave some brief reflections of the information shared. They extended an invite for members to contact the Equalities, Human Rights and Civil Justice Committee which they both sit on, to share any views on ways to improve the Bill.

After this, Meghan and Pam left the meeting to attend an emergency meeting on the unfolding events in Gaza. Meghan passed over to Sarah Paterson from YouthLink Scotland to chair the rest of the meeting.

Sarah gave the group the opportunity to share thoughts on what they had heard. The main points raised were as follows:

- Members expressed their hope for the beginning of a cultural change with a more intersectional approach – people need to know how to include the voices of children and young people
- Members highlighted the need to question what children and young people voices are already reflected to ensure the voices of minority groups are heard and reflected
- One member suggested the Scottish Government and parliamentarians could engage with children and young people by inviting them into parliament to make them feel their inputs were valued
- Many hoped that minority voices would be heard the loudest
- One member highlighted the importance of universities to be raising awareness of the UNCRC and its issues by making sure the UNCRC is incorporated in educational programmes
- Members agree that awareness campaigns and resources must be accessible for people about the UNCRC – otherwise it is difficult for people to implement it in everyday life
- Children and young people need to be educated on their rights – this should involve peer education with young people teaches others
- The Bill may not account for situations that lead to kinship care
- Parents and adults need to be taught about ensuring children and young people can access rights – adults are
- Some referred to the UNICEF Rights respecting schools and utilising best practise and what already exists. However, some warned of the danger of measuring success by numbers. Rights respecting schools introduces UNCRC to schools but what it doesn't do is affect culture change
- Voices of babies, pre-verbal and nonverbal children and young people still need to be understood.
- Members agreed that the CPG should involve more children and young people going forward
- One member highlighted how the Bill might not account for unique circumstances that lead to kinship care. Although important for the UNCRC to protect children's rights, the UNCRC could introduce legal complexities in some cases and that a one-size-fits-all approach will not be suitable in these cases

Close

Sarah thanked all attendees for attending and sharing their thoughts. She advised the next meeting of the CPG would be in December.

Following the meeting, it was agreed that a summary paper would be created from the information shared at the meeting and from the survey that the secretariat had sent out prior to the meeting. The summary report would be shared with the Equalities, Human Rights and Civil Justice Committee.

Sarah also advised that the notes would also be shared with Juliet Harris who was giving evidence to the committee on 31st October 2023.

Finally, Sarah told members that the secretariat would be sharing details of campaigns that CPG members had requested were shared with the group.

Information from CPG members to be shared:

Flexible Childcare Services Scotland – Caerus Tool

For the past few years, the team at Flexible Childcare Services Scotland have been working hard to create a fully functioning childcare management tool that will work for both early learning and childcare providers and children's activity providers.

The tool, known as Caerus [care-us], is a platform that helps parents find, book and pay childcare at times, and in locations, that suit them.

It helps providers to advertise their services and gives them access to a fully functioning childcare management system, that will help them manage their setting and deliver flexible childcare model, if they choose to, for free.

Caerus also collects real time data on search specifications, the data will give providers important insight into how many people have viewed their services, how many times they appeared in searches, top search terms and the specific services families are seeking helping them to match supply to demand and therefore helping them make informed decisions on business growth.

Thanks to funding from The Hunter Foundation and Scottish Government Caerus is free to use for both parents and providers.

The team are keen to raise awareness about this tool and would be grateful if you could share the news with your contacts. The Caerus team have suggested giving you a demo of the product so that you can see the main features and benefits, if that's of interest please get in touch with todd.henshaw@fcss.org.uk to arrange a demo date.

Obesity Action Scotland Child healthy weight campaign: The Pledge - 'Child healthy weight matters to me'

Obesity Action Scotland are launching a new campaign on child healthy weight in Scotland.

Our campaign pledge is ‘**Child healthy weight matters to me**’ and focuses on the need to address growing levels of overweight and obesity in children in Scotland. This year marks 5 years since the publication of the Scottish Government’s ambition to halve childhood obesity by 2030, yet the latest data shows we’re heading in completely the wrong direction, with rates of child overweight and obesity continuing to rise and moving us even further away from achieving this ambition

We’re looking for as many organisations as possible to support the campaign, and help us to deliver a healthy weight childhood for all children.

More information on the campaign, how you can support it and get involved is available on [our website](#). If you would like to sign-up to support the campaign or for more information, please get in touch at info@obesityactionscotland.org.

Royal College of Paediatrics and Child Health’s (RCPCH): Shift the Dial on Climate Change and Health Inequalities campaign

It’s time to [Shift the Dial on child health](#) and new work from RCPCH aims to raise awareness about the unequal impacts of climate change on child health.

RCPCH calls on all four UK Governments to prioritise children’s health in climate change policy development, as well as providing tools aiming to upskill paediatricians to be able to better support and advocate on behalf of children and young people.

[Policy position statement](#) – outlines the evidence on how climate change exacerbates health inequalities and makes policy recommendations aimed at all four UK Governments to centre children and young people’s needs by ensuring climate change policies do not further widen health inequalities.

Views from children and young people – a report [‘Preserving the world for future generations’](#) provides insight into how children and young people perceive and understand climate change.