



# UN Convention on the Rights of the Child (Incorporation) (Scotland) Bill

*Wednesday 28<sup>th</sup> October 2020*

Juliet Harris, Director, Together (Scottish Alliance for Children's Rights)

Website: [www.togetherscotland.org.uk](http://www.togetherscotland.org.uk)

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## Incorporation: A chance to bring rights within reach!

- UN Convention on the Rights of the Child (Incorporation) (Scotland) Bill to be passed before the 2021 Scottish Parliament election.
- Providing a legacy from the Year of Young People (2018) and celebrating the 30<sup>th</sup> Anniversary of the UNCRC (2019).
- A solid foundation – with nearly 30 years of experience of reflecting the UNCRC in law, policy and practice.





# Why is UNCRC incorporation important?

"Enforce children's rights instead of letting it be optional to people".

"What's the point [in having rights] if they don't have to abide by them?"

"If it's not the law then people might not give me my rights".

"Rights should be part of the culture of life".





## UNCRC incorporation in Scotland Children and young people's journey...

The UN General Assembly adopts the UN Convention on the Rights of the Child

Children and young people call for UNCRC incorporation through the Children and Young People (Scotland) Bill

Scottish Youth Parliament manifesto found that 76% of young people supported UNCRC incorporation

Scottish Youth Parliament launches 'Right Here, Right Now' to campaign for incorporation

Children and young people call for incorporation in the annual meeting with Cabinet

Children and young people support the UNCRC Bill through Parliament!

1989

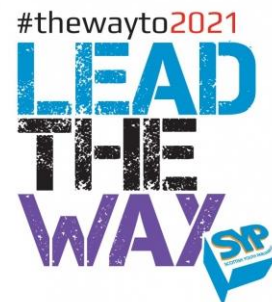
2013-14

2016

2017-18

2017-19

2020-21





## UNCRC (Incorporation) (Scotland) Bill: *a pro-active culture to children's human rights*

- Protects the UNCRC rights of all children under 18 years old (s.1).
- Scottish Government and public authorities must protect the rights of children and young people (s.6).
- Children's Scheme: participation, awareness, budgeting and CRWIA (s.11-13).
- Duty on Ministers to conduct Child Rights & Wellbeing Impact Assessment (s.14).
- Compliance reports by Ministers and public authorities (s.15-16).
- Scrutiny by children, young people, Children and Young People's Commissioner, Scottish Parliament, civil society.





## UNCRC (Incorporation) (Scotland) Bill: *challenging breaches of children's human rights*

- Children and young people can complain if they think their rights aren't being protected (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).
- No time limits on proceedings until children reach the age of 18 years old (s.7).





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