

**Incorporating the United Nations Convention on the Rights of the Child into
Domestic Law in Scotland: Working Group, 3rd Meeting**

**Minutes of Meeting Held in St Andrew's House, Edinburgh, at 10 am on
Wednesday, 31 July 2019**

Present: Michael Chalmers, Children and Families, Scottish Government (SG) (Chair)

Mark Allison, The Law Society of Scotland

Lynda Brabender QC, Westwater Advocates

Nicola Dickie, COSLA

Juliet Harris, Together Scotland

Mairi Macpherson, SG, Creating Positive Futures

Ben McKendrick, Scottish Youth Parliament

Dr. Kenneth Meechan, SOLAR

Dragan Nastic, UNICEF (by Skype)

Lucinda Rivers, UNICEF

Douglas Ross QC, Ampersand Advocates

Clare Simpson, Parenting Across Scotland

In Attendance: Liz Blair, SG Legal Directorate

Helen Fogarty, SG, Children's Rights

Nicola Guild, SG Legal Directorate

Ceri Hunter, SG, Children's Rights

Sarah Douglas, SG Children's Rights (Secretariat)

Agnes Rennick, SG Children's Rights (Secretariat)

Apologies: Dr. Katie Boyle, University of Stirling

Michael Clancy OBE, The Law Society of Scotland (represented by Mark Allison)

Chief Superintendent David Duncan, Police Scotland

Prof. Aoife Nolan, University of Nottingham

Laura Pasternak, Scottish Youth Parliament (represented by Ben McKendrick)

Hannah Ross, COSLA

Norma Shippin, NHS

Suki Wan, Scottish Youth Parliament

Welcome

1. The Chair thanked Members for attending the meeting.

Minutes of Previous Meeting and Action Points

2. Members agreed the minutes of the previous meeting. The Chair then provided an update on the following actions:

Action 4A: Secretariat to circulate a further iteration of the Terms of Reference.

Update: The revised draft of the Terms of Reference, which was informed by the additional views of Members, was circulated on 24 July. Attendees confirmed that they had no further amendments to make and that they were content to now clear the Terms of Reference for publication on the SG website.

Action 5: The SG agreed to provide a note of information to the Group about officials' recent fact finding visit to Iceland arranged by UNICEF.

Update: The Chair confirmed that this note was circulated on 24 July. Members discussed the content of the paper briefly. It was agreed that, subject to final checking, the note would be published on the SG website as part of the papers for the Working Group, but would not be included within the Group's final Report to Ministers.

Summary of the Workshop discussions from 10 July Meeting

3. The Chair invited comments on the summary of the workshop discussions that took place at the 10 July meeting. Members confirmed that the note reflected that there were diverging views around the legal issues raised when considering how best to incorporate the UNCRC into domestic law. A number of amendments to the summary were suggested. The SG agreed to reflect these in a revised summary and to prepare a more refined and concise note of the workshop discussions, setting out the points raised under key themes. This note would be used as a basis for further discussion with Members to identify possible ways forward in addressing some of the issues raised.

Actions –

- the SG agreed to amend the summary of the workshop discussions from the 10 July meeting to reflect suggested amendments and to circulate a draft concise note for comments and further discussion;
- Members of the Working Group are encouraged to circulate their ideas for possible ways forward in addressing the issues related to the legal mechanisms for incorporation; and
- SG to work with members of the Group to seek ways to address the issues raised.

Workshop on Embedding Children's Rights in Public Services

4. Members participated in workshop discussions around the following themes:

- Children's Rights Scheme
- Sunrise Clause and preparation of the sector
- Non-legislative activities required for further implementation

5. A summary of these discussions will be provided in a separate note, to be circulated ahead of the next meeting.

Action – the SG agreed to circulate a summary of the workshop discussions from this meeting with the papers for the next meeting.

AOB

6. The Chair confirmed that, to provide for school holidays, the meeting of the Group, which was due to take place on 16 October, would now take place on **21 October, at Victoria Quay, Edinburgh, 13:00 – 16:00**. The Terms of Reference will be amended to reflect this revision.

7. The Chair reminded Members that, should they be unable to attend the scheduled meetings of the Group, they can ask a representative to attend on their behalf or feed their views in to the Secretariat separately.

Next Meeting: Tuesday 27 August, Victoria Quay, 14:00 – 16:30