

Incorporating the United Nations Convention on the Rights of the Child into Domestic Law in Scotland Working Group Report

Easy read

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Scottish Government
Riaghaltas na h-Alba
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Easy Read

This is an Easy Read version of the Summary Report of the Incorporating the United Nations Convention on the Rights of the Child into Domestic Law in Scotland Working Group.

The United Nations Convention on the Rights of the Child (UNCRC)



The United Nations (UN) is an organisation that almost every country in the world is part of. The UN helps protect human rights. Human rights are basic rights and freedoms that everyone in the world has.

Children have the same rights as adults plus extra rights to protect them. Protect means look after and keep safe.



Children's human rights are written down in the United Nations Convention on the Rights of the Child (UNCRC). The UNCRC is an important agreement between lots of countries who have made a promise to protect children's rights.



The UNCRC says:

- All children have rights.
- Adults must do what is best for children.
- Children should be supported to live and grow.
- Children have the right to be listened to and taken seriously.



It also explains what adults and governments must do to protect children's rights.

Incorporation



The Scottish Government wants to make the UNCRC the law in Scotland. This is called incorporation.

Incorporation will mean children's human rights are protected by law.



It will mean that the Scottish Government and other public authorities must protect children's rights and listen to children when making decisions. Public authorities are organisations like schools, the police, councils and health services.



Children will be able to complain in court if they think their rights have not been respected. Adults will be able to help them do this or make a complaint for them.



The Scottish Government will need to develop a new law. This is called a Bill. The Bill will need to be agreed by the Scottish Parliament.

The Working Group



Making new laws can be complicated. The Scottish Government set up a group of experts to help. This was called the Working Group.

The experts did not agree on everything. However, most agreed on the following points:

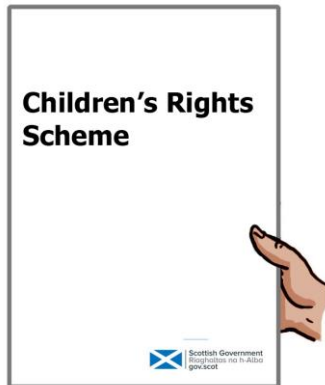


How to incorporate the UNCRC into the law in Scotland

- The Scottish Government should develop a Bill to incorporate the UNCRC into the law in Scotland.
- The Bill should include as much of the UNCRC as possible within the powers of the Scottish Parliament.
- Public authorities should get help so that they're ready for the new law.
- Children should know about their rights and the UNCRC. They should know how to complain if their rights are not being respected.



How to make sure public services respect children's rights



- The Scottish Government should write a plan called a Children's Rights Scheme. This should say what the Scottish Government will do to put the new law into action.
- The Scottish Government should always think about children's rights when they are making new laws and decisions. They should do this using a Child Rights and Wellbeing Impact Assessment – a tool that helps them think about children's rights.
- A clear timeframe should be provided for when the Bill will become the law. This will give public authorities time to get ready.



What children can do if their rights have not been respected



- The Bill should set out what children can do if their rights are not respected.
- Speaking out can be difficult so it's important children can get help when they need it.

Other Suggestions from the Group:

The Group suggested that the Scottish Government should also think about:



- How to help public authorities get ready for the new law. This includes things like having enough money and information.
- Making sure all children get information about their rights.



- Making sure that everyone, including parents and carers, know about children's rights.
- Making sure that the Scottish Government and public authorities write reports to say what they have done for children's rights.



- If public authorities should have to use Child Rights and Wellbeing Impact Assessments when considering children's rights.



- Asking children for their views in planning for the new law and listening to their ideas.
- Making sure that children get help to speak out, and that something can be done if their rights are not respected. This may include getting some money if their rights haven't been respected.



- How to make sure children's rights are always protected.
- Allowing the Children's Commissioner to complain in court if they think children's rights haven't been respected. The Children's Commissioner speaks up for children and young people, so their views and interests are listened to.

Links

You can read the Working Group's full report [here](#).

You can read more about the Bill to incorporate the UNCRC into the law in Scotland [here](#).

You can read more about the rights in the UNCRC on the Children and Young People's Commissioner Scotland's website at:
<https://cypcs.org.uk/rights/uncrc/articles/>.



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