



Beyond the UK Supreme Court judgment on the UNCRC (Incorporation) (Scotland) Bill

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

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

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

1989



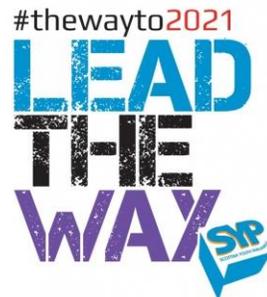
Children and young people call for UNCRC incorporation through the Children and Young People (Scotland) Bill

2013-14



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

2016



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

2017-18



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

2017-19



Children and young people support the unanimous passage of UNCRC Bill through Parliament!

16 March 21



Incorporating the UNCRC into Scots law A chance to bring rights within reach!

“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”.





Human Rights Day 2018: #RightsTakeOver in the Scottish Parliament



“The opportunity ahead of you, First Minister, is to become the Ultimate Human Rights Defender, by incorporating the UNCRC fully into Scots law within this parliamentary term. That would mean the world to me.”

Ryan McShane (aged 16), member of the Scottish Youth Parliament (MSYP) addressing the First Minister on 10th December 2018 in the Scottish Parliament

UNCRC (Incorporation) (Scotland) Bill

A pro-active approach

- Protects the UNCRC rights of all children under 18 years old (s.1).
- Public authorities must act compatibly with UNCRC (s.6)*
- Children's Scheme: participation, awareness, budgeting and child rights impact assessments (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.

Challenging breaches

- 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).



* Subject to the UK Supreme Court ruling



UNCRC (Incorporation) (Scotland) Bill – bringing rights within reach

“The bill will make it easier for children to feel like they [have] more power and are able to do something if they feel unrespected or abused.”.

“For an adult to respect a young person's rights, they need to know what those rights are”

“...it would make sure that every decision is being made for the child”

“...for the older children who may have broke the law it will give them comfort they can not be treated unfairly by the Scottish law.”.

[Children's responses included in the Stage 1 Report on United Nations Convention on the Rights of the Child \(Incorporation\) \(Scotland\) Bill.](#)

Nearly 12 months ago – celebrating UNCRC incorporation



Read more about Scotland's incorporation journey here:

<https://www.togetherscotland.org.uk/about-childrens-rights/monitoring-the-uncrc/incorporation-of-the-un-convention-on-the-rights-of-the-child/>

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Thank you! 😊