



## Progressing Children's Rights in Scotland - An Action Plan 2018-21

### YOUTHLINK SCOTLAND RESPONSE

Submitted 26/9/18 via Citizen Space

#### 1. Do you agree that the Action Plan should include:

Identified strategic actions intended to secure transformational change in how children and young people experience their rights.

Yes  No

A summary of specific initiatives being taken forward across all Scottish Government portfolios that captures what we will do in the next 3 years to secure better or further effect of the UNCRC principles.

Yes  No

A number of key policy specific actions identified through the consultation process that are not currently being taken forward through other Scottish Government initiatives.

Yes  No

**STRATEGIC ACTIONS:** The Scottish Government should seek to strategically influence public bodies (local, regional and national) and agencies of Government with regards to improving how children and young people experience their rights across multiple agencies of the state. This would be an essential strategic action to secure transformational change. Full incorporation of the UNCRC in to Scot's Law would go some way to realise this. The Scottish Government should also seek to exert strategic influence over matters which are not devolved but which negatively impact on the realisation of children and young people's human rights e.g. BREXIT, Immigration Law, Social Security. The Scottish Government should utilise the Concluding Observations of the UN Committee on the Rights of the Child to inform strategic actions.

**SPECIFIC INITIATIVES:** - whilst we agree, it should be clear which initiatives are being undertaken by Scottish Government, and those who have been out-sourced or delivered in partnership with the third sector/public body, and the organisations involved should also be made publically known in the interests of transparency.

**POLICY ACTIONS:** - whilst we agree that policy actions identified through consultation should be included, they should only be included if they are fully committed to by Scottish Government, and that resource has been committed to enable their delivery. An example of this may include a refreshed and well resourced National Youth Work Strategy. The National Youth Work Strategy 2014-19 is underpinned by the UNCRC. Future development of a refreshed Youth Work Strategy would be a meaningful opportunity to strengthen and further how young people experience their rights in Scotland.

**2. Do you agree that the 4 proposed overarching strategic actions are appropriate and will help to take forward the principles of the UNCRC?**

Development of a dynamic Participation Framework for Children and Young People.

Yes  No

Ambitious delivery, through co-production, of the 3 year children's rights awareness programme.

Yes  No

Progressing the comprehensive audit on the most effective and practical way to further embed the principles of the UNCRC into policy, practice and legislation, including the option of full incorporation into domestic law.

Yes  No

Evaluation of the Child Rights and Wellbeing Impact Assessment (CRWIA).

Yes  No

**Participation Framework:** It is important that the Participation Framework, catalysed by YOYP, does not become 'Day 1' in youth participation in Scotland, but rather that it celebrates and learns from the amazing volume and quality of innovative work which has taken place, in particular since the mid 1990's largely facilitated and led by Scotland's youth work sector. The points made in 4.4 and 4.5 of the consultation do not adequately account for the decades of high quality and innovative participation work which has been led by Scotland's youth work sector.

The Participation Framework must recognise that participation is a relationship based experience, where young people must have access to information and in most cases facilitation support before they can choose to participate. This will require financial investment in, and increased capacity of, organisation within Scotland's youth work sector, to ensure that young people can meaningfully engage in delivering the elements of this framework e.g. digital engagement, 'matching the demand'. Youth Participation is a learning experience, and skilled and competent practitioners must be resourced to facilitate the participation process. Young people must choose to take part. Young people should be provided with opportunities for their learning to be recognised through appropriate youth awards. Youth participation must not become tokenistic.

For this Participation Framework to have meaning it must be resourced to enable communities to support young people who would not normally be heard. Participation must be available to all, and barriers to participation must be removed. Youth work organisations are well placed, when adequately resourced, to level the playing field for young people to engage in participation opportunities in a supported, accessible, and meaningful way.

It would be a welcome addition to this Framework to develop a set of principles, informed by the decades of practice and experience of youth participation, which the Scottish Government fully supports and can genuinely embody for all participation activity. In particular the Scottish Government should be open, transparent and reflective of its own role, power and influence within participation processes -which may make youth participation more difficult – due to the unequal balance of existing power(s).

**Children's Rights Awareness Programme:** we firmly support the notion that young people need to be informed of their rights, and that adults must be informed in order to uphold, defend, and fulfil the rights of children - whether as parents, decision-makers, or professionals. We would strongly urge that consideration be given to the numerous pre-existing training materials which exist in Scotland and in other countries, developed by third sector organisations, public bodies, and Commissioners. A suggested first step would be to audit and evaluate existing materials and their impact.

We would welcome the coproduction of awareness raising materials with Duty Bearers (not just with young people) - it is these adults who must be impacted for all children and young people to be able to fully realise all of their rights all of the time. Children and young people should not feel a duty or burden to educate adults of their rights, but we welcome opportunities for young people to lead in peer education, or where they are meaningfully participating in helping adults learn about Children's Human Rights. From our own experience (RRCR for Youth Workers), we have found that in the design of awareness raising for Duty Bearers, that it must start with the context within that person exists e.g. a youth workers starting point may be somewhat different to that of a teacher, police officer, social worker, councillor, parent etc. It must not assume a zero point starting place of knowledge, principles, or professional practice and values.

**UNCRC Audit:** - whilst we welcome the commitment in the recent Programme for Government regarding incorporation of the principles of the UNCRC in to domestic law, we alongside other third sector and civil society organisations have campaigned for full incorporation of the UNCRC. It remains ambiguous as to what might be delivered by incorporation of 'principles'. We continue to believe in the need for full incorporation to make the real and necessary transformative change for all of Scotland's children and young people, to reduce inequalities and to improve the quality of life and life chances of all.

**CRWIA:** - we welcome the action to review and evaluate the use of CRWIA. We have been disappointed that the CRWIA has not been used more widely since its introduction. It has the potential to be a key tool in ensuring that policy, initiatives, and resources really do further the UNCRC and improve the lives of all of Scotland's children and young people.

**4. Are there additional or alternative strategic actions that the Scottish Ministers should consider? Please specify.**

The Scottish Government should utilise the Concluding Observations of the UN Committee on the Rights of the Child to inform strategic actions. Improved communication and leadership from Scottish Ministers of their response to and actions following the Concluding Observations are required.

**5. Are there any specific actions - not currently being progressed within a wider Scottish Government action plan, framework or other initiative - that should be considered for inclusion within the Action Plan?**

YouthLink Scotland, and the Youth Work Strategy Reference Group, are seeking commitment from all partners (Education Scotland, Scottish Government, and Scotland's youth work sector) to develop and publish an updated National Youth Work Strategy. Commitment to this update would serve to further the UNCRC for young people in Scotland – and would be a tangible addition to the Action Plan.

**For further information please contact:**

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