

Young People’s Response to the Consultation on Incorporating the UN Convention on the Rights of the Child (UNCRC) into Scots Law

Facilitated by YouthLink Scotland

July 2019

Background on the Response to the Consultation

YouthLink Scotland were commissioned by the Scottish Government to organise and run an engagement event with young people aged between 12-18 years where they could share their views on Incorporating the UN Convention on the Rights of the Child (UNCRC) into Scots Law. This event took place at Edinburgh Zoo on the 18th of July 2019.

About YouthLink Scotland

YouthLink Scotland is the national agency for youth work. We are a membership organisation, representing over 100 regional and national youth organisations from both the voluntary and statutory sectors. We champion the role and value of youth work and represent the interests and aspirations of our sector. We are an organisation that believes in young people and are focussed on their needs. We are ethical, equitable and non-discriminatory. In April 2016 we were awarded Investors in Diversity accreditation and we coordinate the youth work sector Equality and Diversity Network. We are an organisation that promotes learning, innovation and forward thinking and we are committed to the highest standards of protection and safety for young people.

For more information about YouthLink Scotland visit the website at

<https://www.youthlinkscotland.org/>

Methodology

YouthLink Scotland invited youth work organisations to register to take part in an engagement session at Edinburgh zoo on the 18th July. Each organisation could bring along one youth worker and two young people to the event. In total there were 56 attendees, including 31 young people aged between 12-18 years, from the following organisations:

Aberdeenshire Council	HOPE for Autism
Adoption UK in Scotland	LGBT Youth Scotland
Children and Young People’s Commissioner in Scotland	Moray Council
Children’s Health Scotland	North Lanarkshire Council
Crocus	SCOREscotland
East Ayrshire Council	Scottish Women's Aid
Falkirk and Clackmannanshire Young Carers Project	Workingrite
Foster Care Associates	Youth Highland
Girlguiding Scotland	

To help set the context for the consultation the Scottish Government, Children’s Commissioner and Together gave inputs to the young people. Six facilitators (from YouthLink Scotland, Children and Young People’s Commissioner in Scotland and Together) then supported groups of young people to share their views, through a series of activities and young person friendly questions which were outlined in the guidance provided by Together¹.

The following response to the consultation is structured in relation to the key themes explored with young people, which are relevant to the consultation questions.

A world of rights (these findings are relevant to question 13 in the Scottish Government consultation)

Young people were asked to imagine what a perfect world would look like where their rights had to be taken into account. The responses provided by young people can be categorised under the following themes:

Equal and included

This was the most common way in which young people discussed their perfect world where they were equal to the rest of society and included in decision making.

‘Everyone feels included within society’

‘Young people being equal because they all have the same rights’

‘Young people would be addressed as citizens’

Being listened to

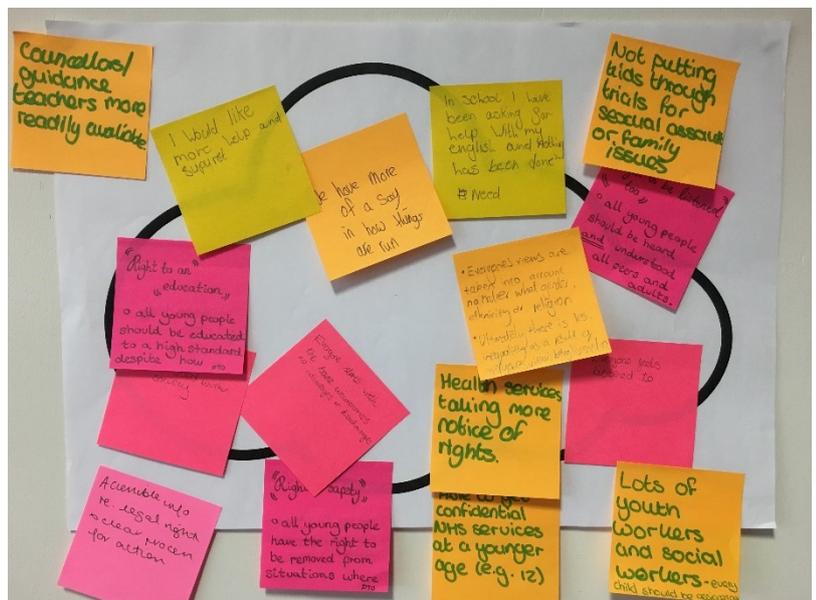
In their perfect world a very important element for young people was that they would be listened to and their opinions would be valued.

‘Listened to by every adult by law’

‘Where everyone would be listened to, everyone's opinion is valued’

Receiving help and support

Many young people discussed the importance of receiving help and support particularly from youth workers, teachers and counsellors and that in their perfect world there would ‘lots of’ them.



¹ https://www.togetherscotland.org.uk/media/1324/crc_youngpeople_consultation_finalv2_pdf.pdf

‘Lots of youth workers and social workers - every child should be assigned one’

‘Counsellors/guidance teachers more readily available’

Accessible services (education, transport, youth work and health)

A key focal point of accessible services for many of the young people was cheaper or free public transport, as well as improved mental health services, more funding for youth work and confidential NHS services from a younger age.

Equity of opportunities in schools

The final substantive way young people discussed their perfect world where their rights had to be taken into account included an equity of opportunities in schools across Scotland.

‘Across Scotland everyone should have the same access/options at school’

What should happen when rights aren’t respected? (these findings are relevant to questions 18 and 23 in the Scottish Government consultation)

Young people explored the theme of what should happen when their rights are not respected.

To explore this theme it was important to understand what the young people identified as the core problems and effects, which may lead to them not having their rights respected. The discussions highlighted a complex picture of the issues identified and experienced by young people. Though young people do not specifically name ageism, many described instances of discrimination they face by adults due to their age, demonstrated in the following quotes:

‘Bus drivers don’t stop for young people’

‘Only small number of children allowed in shops’

‘Never listened to in meetings’

‘Adults have an agenda and don’t involve young people’

‘Adults don’t think about young people’

Not feeling listened to, valued, appreciated or consulted as well as the direct acts of discrimination such as not being allowed into shops in groups are issues experienced and identified by young people directly related to their age. They also identify wider social and economic injustices relating to religion, race, sexuality, gender and LGBT status, highlighting the intersectional nature of discrimination faced by young people.

As well as discrimination, young people also identified the following core problems:

- Isolation
- Access
- Abuse

- Neglect
- Mental health
- Racism
- Literacy
- Homelessness
- Poverty

These are important issues to young people and the effects of these issues were identified as:

- Addiction
- Mental health issues
- Child labour
- Poor education
- Lack of additional support
- Cuts to services for example transport

As part of this discussion the young people were also supported to explore what could be put in place as solutions to these core problems and effects to ensure that their rights are respected.

These solutions focused on the following:

Listening to young people – ‘listen to us’, ‘a place to have our voices heard and listened to’, ‘listen to youth voice’

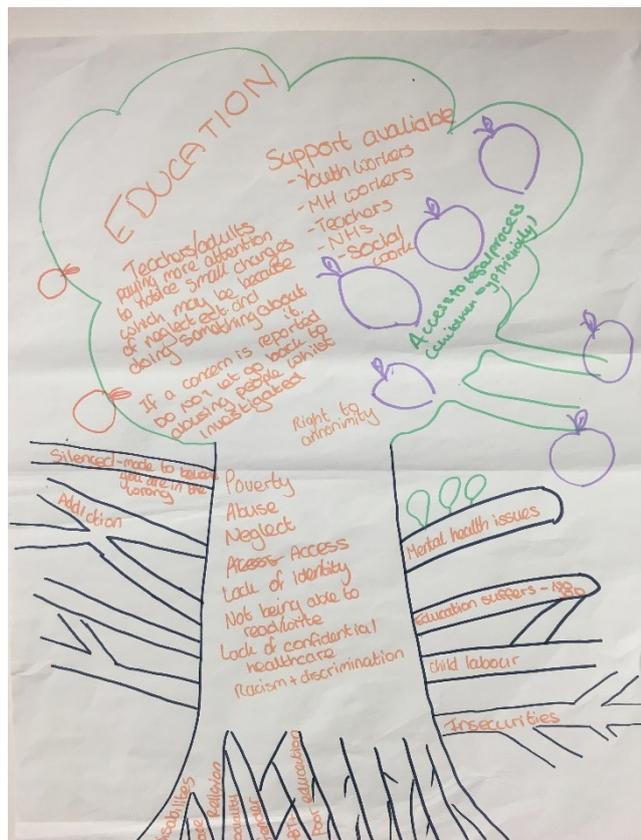
Increased and secure funding for work with young people – ‘secure funding for youth organisations’, ‘more funding for agencies to work with young people

Education – ‘educate all ages on rights of children to prevent problems and inspire solutions’, ‘knowledge and training surrounding rights and support’

Creating children’s rights champions – ‘children’s rights champions in organisations – specialist training to ensure CYP rights are always at forefront’

Support available – ‘knowing different support mechanisms’ - this includes youth workers, mental health workers, teachers, NHS and social work.

The young people make it very clear that a significant issue they face is not feeling listened to by adults due to their age but that they want to be listened to and that this is essential to creating positive change.



‘To make change we need young people to speak with meetings like this’

What will the rights look like? (these findings are relevant to questions 4 and 12 in the Scottish Government consultation)

As previously explained, to ensure that the Scottish Government consultation was accessible to young people, Together developed guidance² to support organisations to have discussions with young people about incorporation. As part of this guidance, a young person friendly explanation of the different options suggested by the Scottish Government for incorporation was developed. This included:

Copy and paste which means taking the exact wording of the UNCRC and putting this into Scottish law, also known as direct incorporation.

Pick and mix which means to build a new list of rights for children and young people in Scotland. This would be a ‘pick and mix’ style list with politicians choosing which rights they want to include.

The general consensus amongst the young people was to favour the copy and paste option in which there would be direct incorporation.

The main concern about direct incorporation was that some rights might be put into law that the Scottish Parliament does not have any control over. Overall young people felt that children and young people’s rights should be the same across the world. However, some young people also discussed wanting to see Scotland push the boundaries and become world leaders. This would involve Scotland challenging the current baseline, to help improve children and young people’s rights across the world.

Timing (these findings are relevant to questions 14 and 15 in the Scottish Government consultation)

The vast majority of young people believed that the process of incorporation should not be rushed and that time should be taken to get it right, test it and then incorporate. The young people created timelines they would like to see the Government work towards incorporation. All of the timelines wanted to see incorporation happen in either 2021 or 2024. This three-year difference reflects the amount of time different young people felt it would take to follow a process to achieve incorporation. The key point to note is that the vast majority of young people felt incorporation should not happen straight away, that it will take time and it is crucial to take the time to get it right for future generations. There was also a general sense that time is needed to develop training resources, communication, understanding of UNCRC, educate professionals on UNCRC and potentially pilot incorporation in certain areas across Scotland.

A core element young people would like to see integrated into the timeline is continuous consultation with young people. There was also an acknowledgement that even if UNCRC was incorporated into Scots law on a date in 2021 or 2024 that cultural change will take much longer and should be part of an ongoing process beyond the official date of the incorporation.

² https://www.togetherscotland.org.uk/media/1324/crc_youngpeople_consultation_finalv2_pdf.pdf

Key points to emerge from young people's response

- Young people face discrimination due to their age as well as an intersection of identities
- Young people want to be equal, included, listened to and valued
- Young people favour direct incorporation
- Young people want to have equal rights to children and young people across the world
- Young people want Scotland to be world leaders to improve children and young people's rights across the world
- Young people think that incorporation should not be rushed, time should be taken to get it right, test it, then incorporate.