

Scottish Children's Rights Implementation and Monitoring Group

Tuesday 2nd September 2014
Scottish Government, Victoria Quay, Edinburgh
2:00-4:00pm

Attended:

Tam Baillie (TB) – SCCYP
Alex Cole-Hamilton (ACH) - Together (Chair)
Emma Grindulis (EG) – Together (Secretary)
Juliet Harris (JH) – Together
Máire McCormack (MMC) – SCCYP
Philip Raines (PR) – Scottish Government
Gita Sharkey (GS) – Scottish Government

1. Apologies and thanks

There were apologies from Katie Brown (SCCYP).

Attendees thanked Boyd McAdam, Scott Wood and Nico Juetten for their excellent contributions to this group, and wished them well for the future. Attendees welcomed Phil Raines to the group.

2. Review of actions in minutes of 11th March 2014

Scott Wood met with the Child Rights Officers Network. GS is waiting for a response with regards to how they might contribute to SCRIMG.

- **Action: GS will encourage the Child Rights Officers Network to suggest how they might best contribute to SCRIMG and will be in touch with members regarding the outcome.**

JH highlighted the importance of publicising SCRIMG updates to ensure it operates in an open and transparent manner. Attendees reflected on the prominence given to SCRIMG by the Scottish Government and the importance that meeting updates are therefore public and accessible.

- **Action: EG will send GS a one-page update of the current meeting to be circulated in Scottish Government emails and uploaded to the Together website.**

GS has been in touch with KB regarding the *'Children and young people's experiences of, and views on, issues relating to the implementation of the United Nations Convention on the Rights of the Child'* report. A meeting to discuss the findings of this report has not yet been arranged.

- **Action: Meeting to be arranged between GS, KB and JH to look at children's involvement in UNCRC monitoring.**

PR is not aware of any plans for a 'roadshow' on the Children and Young People (Scotland) Act 2014 (as per the previous minutes), but that alternative ways of how to communicate key ways of bringing the Children and Young People Act forward could be considered.

- **Action: PR to bring ideas to the next meeting on how to communicate key ways of bringing the Children and Young People Act forward.**

GS and PR were not aware of the letter which Together sent to Aileen Campbell MSP, Minister for Children and Young People, regarding stage 3 amendment 116 to the Children and Young People Bill on a UNCRC Commission.

- **Action: EG to confirm whether this letter was sent and to send a copy to PR and GS, and Aileen Campbell MSP.**

3. Matters arising

It was agreed by attendees that the SCRIMG Terms of Reference need to be revised and made more outcomes-based. It was also agreed that the name SCRIMG could be amended.

- **Action: JH to draft a new Terms of Reference which will be circulated amongst members for comment in due course.**

Attendees reflected on the membership of SCRIMG. It was suggested that there could be 2 groups:

- The current (smaller) group to monitor implementation of children's rights
- A larger group with wider ownership to promote implementation of children's rights

The larger group would be separate from SCRIMG and could focus on implementation of the UNCRC.

- **Action: GS and JH to meet to discuss the idea of a second and wider SCRIMG group to promote implementation.**

4. Key themes:

Children and Young People (Scotland) Act – next steps and guidance

Part 1 Guidance:

GS is speaking to Procurement about employing a consultant to take forward the development of the CRIA guidance. JH asked whether the timetable for the CRIA guidance which outlines a 'go live' date of April 2015 is still going ahead. PR confirmed that this is a working target and that it is dependent on having something ready by then. GS has been in touch with the family law department of the Scottish Government and confirmed that this department will still take forward the CRIA pilot.

TB reflected on the awareness and understanding of the UNCRC duty and stated a need to address how the duty will be implemented. JH asked whether the Scottish Government would be monitoring

and evaluating the Education Scotland realising rights resources. GS replied that there is a 3 year plan for the resources with evaluation built in.

- **Action: GS to update the group on evaluation of Education Scotland resources at the next meeting.**

Part 3 Guidance:

The Part 3 guidance group for the Children and Young People Act has had its first meeting. JH is involved in this group. SCRIMG attendees agreed with the intention to integrate the reporting duties in Part 1 and Part 3 of the Act. JH raised concern of the timescale for reporting and the length of time until public bodies will report on children's rights. PR confirmed that there will be a 3 year cycle for Part 3 duties but that a yearly report will include children's rights. The Part 3 duty to report on Children's Services Planning will take more time to implement and that development of guidance will reflect this.

Part 4 & 5 Guidance:

TB reflected that the legislation around GIRFEC lacks specificity and that the guidance needs to be clear. The GIRFEC guidance group is finalising statutory guidance for full public consultation January-March 2014. This will include lead professional, named person and will include practice guidance on information sharing with specific support for particular groups and services. SCCYP and Together will receive drafts of this guidance around September/October 2014 with the opportunity to submit initial views. The final statutory guidance will be published in June 2015. Practical materials will be developed to sit alongside the statutory guidance.

Although there have been some No2NP events, discussions and media coverage around named person and the judicial review have gone quiet.

JH asked whether there would be a Child Rights Impact Assessment (CRIA) on this section of guidance. PR said there were no current plans but that this could take place around November time. Together would be keen to support the Scottish Government to undertake a CRIA on the guidance.

- **Action: PR to publish a timeline for Children and Young People Act guidance to be circulated around the children's sector.**

Other opportunities to strengthen implementation of the UNCRC

JH highlighted that Together sees the Early Years Collaborative as a key opportunity to promote children's rights and the duties within the Children and Young People Act. EG informed attendees that she has been in touch with Julie Wild regarding the potential for Together to become a national partner organisation of the Collaborative.

- **Action: GS and PR to keep the group updated on developments with the Early Years Collaborative and any opportunities to promote children's rights.**

PR and GS informed the group that the Scottish Government would be taking part in a workshop at the next Early Years Collaborative learning session. The Minister for Children and Young People will

be presenting at this session. This could potentially include reference to Parts 1 & 2 of the Children and Young People Act.

- **Action: PR to report on the EYC learning session at the next SCRIMG meeting.**

PR suggested testing the improvement methodology put forward by the EYC on children's rights and the Children and Young People Act reporting duties. TB welcomed this suggestion.

PR agreed that there is an opportunity to use the Common Core document to inform the development of guidance for the Children and Young People Act and could be included in training materials for the Act.

- **Action: PR to offer an update on progress of how the Common Core is being used to inform guidance materials for the Children and Young People Act.**
- **Action: JH to offer an update on the work of the SNAP international treaties group at the next meeting.**

Criminal Justice Bill

PR confirmed that there has been ongoing discussion at the Scottish Government regarding raising the age of criminal responsibility in Scotland. A discussion paper will be circulated to SCRIMG members in the near future.

Action: GS to contact Government officials working on the Criminal Justice Bill and to update Together and SCCYP of any opportunities to meet with officials.

In discussion, it was recognised that it seemed unlikely there would be another justice bill before the end of the current Parliament. JH raised the topic of equal protection from assault and GS confirmed that the position of the Scottish Government on this issue has not changed. ACH suggested that this position should be re-visited after the referendum.

5. Standing items

UNCRC reporting

SCCYP has responded to the UK 6th periodic report to the UN Committee on the Rights of the Child. The four UK Commissioners are not planning to do a detailed response although a more detailed response from the UK Commissioners will be produced nearer the time of the consideration of the UK report by the UN Committee. The 2014 State of Children's Rights report will include Together's response. PR confirmed that the Scottish Government will push for a UK update report to the 5th UK UNCRC periodic report nearer to the time that the UK review is likely to take place (2016/2017).

6. AOB

GS has been in contact with the Equalities Team regarding Scottish Government progress of reporting to the Equal Opportunities Committee on its Gypsy/Traveller report recommendations. The Team have an overarching Strategy and Action Plan which will be released in 2015. There is a steering group with members from Gypsy/Traveller communities.

- **Action: GS to find out who is on the Equalities Team steering group for the strategy and action plan for Gypsy/Travellers and to determine a timeframe/consultation plan. GS to report back at the next meeting.**

A 'Child Impact Assessment' is being prepared to support publication of the revised guidance on *"Protecting Children and Young People: Interim Guidance for Child Protection Committees for Conducting Significant Case Reviews"* and should take place in autumn 2014. The group discussed whether this would be a 'Child Rights Impact Assessment' to which PR said he assumed to be the case. Together would be keen to support the Scottish Government in putting this together and for the impact assessment to be published.

JH notified attendees that Together will be launching its 2014 State of Children's Rights report on 20th November. JH will discuss the recommendations of the report with GS.

- **Action: JH and GS to meet regarding SOCR**

Summary of actions	Responsibility
<ul style="list-style-type: none"> GS will encourage the Child Rights Officers Network to suggest how they might best contribute to SCRIMG and will be in touch with members regarding the outcome. 	GS
<ul style="list-style-type: none"> Action: EG will send GS a one-page update of the current meeting to be circulated in Scottish Government emails and uploaded to the Together website. 	EG
<ul style="list-style-type: none"> Action: Meeting to be arranged between GS, KB and JH to look at children's involvement in UNCRC monitoring. 	GS, KB and JH
<ul style="list-style-type: none"> Action: PR to bring ideas to the next meeting on how to communicate key ways of bringing the Children and Young People Act forward. 	PR
<ul style="list-style-type: none"> Action: EG to confirm whether this letter was sent and to send a copy to PR and GS, and Aileen Campbell MSP. 	EG
<ul style="list-style-type: none"> Action: JH to draft a new Terms of Reference which will be circulated amongst members for comment in due course. 	JH
<ul style="list-style-type: none"> Action: GS and JH to meet to discuss the idea of a second and wider SCRIMG group to promote implementation. 	GS and JH
<ul style="list-style-type: none"> Action: GS to update the group on evaluation of Education Scotland resources at the next meeting. 	GS
<ul style="list-style-type: none"> Action: PR to publish a timeline for Children and Young People Act guidance to be circulated around the children's sector. 	PR
<ul style="list-style-type: none"> Action: GS and PR to keep the group updated on developments with the Early Years Collaborative and any opportunities to promote children's rights. 	GS and PR
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