



THE UNIVERSITY *of* EDINBURGH
Edinburgh Law School



Children's participation in the UNCRC monitoring process:
exploring practice at home and in other jurisdictions to draw learning for
Scotland as it moves to incorporate the UNCRC.

Project-Based Report

Author: Isobel Mintz

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Executive Summary

The United Nations Committee on the Rights of the Child (CRC) monitors the extent to which state parties are realising their obligations under the United Nations Convention on the Rights of the Child (UNCRC). Its monitoring process takes the form of a cycle which occurs approximately every five years. At several stages throughout this cycle, governments, civil society organisations (CSOs), and children can present statistics, details and stories on children's experiences of their rights within their jurisdiction. This information is essential in how the CRC perceives a country's rights adherence, and in turn the utility of the recommendations it makes to the state party in the concluding observations at the 'end' of the cycle.

For the Scottish Government, its emerging challenge is in how it develops its participatory mechanisms to include children at every stage of this cycle, in order to adhere to its obligations under article 12 of the UNCRC, which is further elaborated on in the CRC's General Comment 12. These are the two main sources which define children's participation rights. Throughout this work, domestic and global participation mechanisms related to the CRC reporting cycle will be assessed against a legal criteria featuring these sources. Predominantly, this comparative analysis will aim to alert the Scottish Government to promising domestic and global practices which it could learn from to develop how children are consulted and engaged throughout the cycle.

The seventeen recommendations of this report provide a framework for Scotland's fulfilment of its upcoming obligations as the jurisdiction moves to incorporate the UNCRC into Scots law. However, they are also geared towards directing CSOs to use their expertise in working directly with children to design and facilitate a wider range of participation mechanisms with increased funding and capacity to do so. Overall, this report will inform an approach to children's participation in the reporting process which results in increased inclusivity of a wider range of children within participation mechanisms, and a prioritisation of children's empowerment as an end of this process.

Acronyms and Abbreviations

CRC/Committee: United Nations Committee on the Rights of the Child

CSO: Civil Society Organisation

CP: Children's Parliament

CYPCS: The Children and Young People's Commissioner Scotland

DGD: Day of General Discussion

GC: General Comment

GCRD: Global Child Rights Dialogue

Incorporation Bill: United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Bill

LOIPR: List of Issues Prior to Reporting

MCP: Member of Children's Parliament

MSYP: Member of Scottish Youth Parliament

NGO: Non-Governmental Organisation

SYP: Scottish Youth Parliament

Together: Together (Scottish Alliance for Children's Rights)

UK: United Kingdom

UNCRC: United Nations Convention on the Rights of the Child

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“Like the adults in our eyes, they only know what they’ve been told, whereas the kids actually know what’s like going on.”¹

A child consulted in the LOIPR stage of the UK’s latest review (2020)

¹ Children’s Commissioner, ‘A Report for the UN Committee on the Rights of the Child’ (2020) 10 <<https://assets.childrenscommissioner.gov.uk/wpuploads/2020/12/cco-are-we-there-yet.pdf>> (Children’s Commissioner Report 2020).

1. Introduction

At the critical stage of amending the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Bill, the Scottish Government should reassert its unwavering commitment to children’s participation in all decisions that affect them. This is required in response to the Committee on the Rights of the Child’s (CRCs) concluding observations which were published in June 2023. This communication to the United Kingdom and its devolved nations contains recommendations on how to improve the frequency and way in which children are consulted on matters which impact on their lives.² Specifically, recommendation 30(a) states that the United Kingdom (UK) must ‘establish structures for... children and give due weight to their views in designing laws, policies, programmes and services at the local and national level’.³

Moreover, the Incorporation Bill should enter into Scots law once technical issues arising from a UK Supreme Court judgement are resolved.⁴ Under this legislation, Scottish Ministers will be legally obliged to adhere to Convention rights, and to create a scheme that sets out measures to ‘ensure that children are able to participate in the making of decisions that affect them with access to such support and representation (for example from children’s advocacy services) as they require to do so’.⁵

In turn, this work will highlight the successes of Scottish mechanisms for children’s participation in the UNCRC reporting process, whilst identifying aspects which require improvement to fully adhere to its legal obligations. Further, this project seeks to support the Scottish Government in fulfilling its wish of becoming ‘a leader for children’s rights

² Committee on the Rights of the Child, ‘Concluding Observations on the Combined Sixth and Seventh Periodic Reports of the United Kingdom of Great Britain and Northern Ireland’ (2023) UN Doc: CRC/C/GBR/CO/6-7 (Concluding Observations 2023).

³ Ibid, para 6.

⁴ [2021] UKSC 42.

⁵ Scottish Parliament, United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Bill [as passed] 2021 [SP Bill 80B], 3(a).

and a role model to others in upholding children's rights' as it brings the United Nations Convention on the Rights of the Child (UNCRC) into Scots law.⁶

This report will respond to the following research questions:

1. Where are the successes and gaps in Scotland's current approach to children's participation throughout the UNCRC reporting cycle?
2. What can Scotland learn from global practices to develop its approach to progressively realising children's right to participate in UNCRC reporting and monitoring processes?

Primarily, this project will explore the legal framework for children's participation under international law. Here, UNCRC articles, General Comments (GCs), The Committee's working methods for the participation of children in the reporting process, and the 2023 concluding observations to the UK inform the basic requirements a participation mechanism must have to respect, protect and fulfil children's rights.⁷ This will form the criteria that the practices of domestic and global mechanisms will be measured against. This comparative analysis will be separated into three sections in accordance with crucial entry-points for progressively realising children's participation rights in the reporting cycle. These are the List of Issues Prior to Reporting (LOIPR), the pre-session and session, and the follow-up period after the release of the concluding observations. From this analysis, the report draws seventeen recommendations to guide the Scottish Government to improve its framework for children's participation, and civil society organisations (CSOs) in the design and facilitation of such mechanisms. Throughout this project, I will refer to the work of Together (Scottish Alliance for Children's Rights) and its partners which I gathered during my time on placement.

⁶ Scottish Government, Scottish Government, 'Progressing the Human Rights of Children in Scotland: An Action Plan 2021-2024' (2021) <<http://www.gov.scot/publications/progressing-human-rights-children-scotland-action-plan-2021-2024/pages/2/>> accessed 17 July 2023.

⁷ Committee on the Rights of the Child, 'Working Methods for the Participation of Children in the Reporting Process of the Committee on the Rights of the Child' (2014) CRC/C/66/2.

Overall, there are two key themes explored in this work. Firstly, this project will analyse how the reporting cycle should be perceived as ‘an on-going process at the national level’ which the Scottish Government should consistently be planning for, working on and responding to.⁸ Secondly, this work will guide Scotland towards more inclusive practices of children’s participation.

⁸ Child Rights Connect, ‘The Reporting Cycle of the Committee on the Rights of the Child: A Guide for NGOs and NHRIs’ (2014) 4
<https://www.ohchr.org/sites/default/files/Documents/HRBodies/CRC/GuideNgoSubmission_en.pdf>
(Child Rights Connect Report 2014).

2. Legal Framework

a) Children's Right to Participate (Article 12)

UNCRC Article 12 sets the legal foundation for children's participation rights, stating that '[s]tate Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child'.⁹ This article forms the basis of the Committee's recommendations to ensure that children's views are taken into account.¹⁰ More broadly, Article 12 requires the Scottish Government to ensure children have a say in the implementation of *all* of the Committee's recommendations and how the relevant law, policy and practice should be shaped.

The tangible influence of children's participation in shaping the outcomes of previous reporting cycles is clear. In the UK's fifth periodic review, the UN Committee heard evidence from children on a range of issues including the impact of physical punishment by parents and carers. Within CSO campaigns, the distinct voices of children made a powerful case for change – 'it hurts sometimes and it is wrong to hit a child that is younger and is smaller than you – and they are just learning'.¹¹ In turn, children's experiences were utilised to demonstrate that the Scottish Government 'as a matter of priority'¹² needed to realise its article 19 obligations under the UNCRC to protect children from abuse through the appropriate legislation.¹³ Hence, the Committee

⁹ United Nations Convention on the Rights of the Child (adopted 20 November 1989, entered into force 2 September 1990) 1577 UNTS 3 (UNCRC), article 12.

¹⁰ Milka Sormunen, 'A Focus on Domestic Structures: Best Interests of the Child in the Concluding Observations of the UN Committee on the Rights of the Child' (2020) 38 Nordic Journal of Human Rights 100 (Sormunen 2020).

¹¹ Children and Young People's Commissioner Scotland, 'Response to John Finnie MSP's Consultation on the Proposed Children (Equal Protection from Assault) (Scotland) Bill' (2017) 13 <<https://www.cypcs.org.uk/wpcypps/wp-content/uploads/2020/02/EqualProtection.pdf>>.

¹² Together (Scottish Alliance for Children's Rights), 'State of Children's Rights in Scotland' (2016) <<https://www.togetherscotland.org.uk/pdfs/TogetherReport2016.pdf>> 62.

¹³ UNCRC article 19.

responded to these children’s experiences by urging the UK Government and its devolved nations to prohibit corporal punishment by families and educational settings in its concluding observations.¹⁴ In 2019, the Scottish Government passed the Children (Equal Protection from Assault) (Scotland) Act 2019 which aimed ‘to bring an end to the physical punishment of children by parents and others caring for or in charge of children’.¹⁵ Similar patterns are apparent in relation to Scotland’s age of criminal responsibility and the commitment to incorporate the UNCRC - powerful evidence from children helped shape concluding observations and drove forward legislative change.¹⁶ Overall, this demonstrates the power and impact of ensuring children’s views are heard in the UNCRC reporting process. As the UNCRC reporting process evidently has a significant impact on ‘matters affecting the child’, the Scottish Government must work towards the sustained integration of children’s voices to identify how the Scottish Government can progressively realise its adherence to the UNCRC.¹⁷

Crucially, General Comment 12 (GC 12) is a detailed resource which informs the Scottish Government on how it can fulfil its obligation to uphold children’s right to be heard. Notably, the CRC insists that article 12 of the UNCRC can only be fully realised if participation mechanisms adhere to certain basic requirements outlined in GC 12 and set out in the following criteria.¹⁸ Full explanations of this criteria can be found in the Annex.

1. Transparent and informative
2. Voluntary

¹⁴ Committee on the Rights of the Child, ‘Concluding Observations on the Fifth Periodic Report of the United Kingdom of Great Britain and Northern Ireland’ (2016) CRC/C/GBR/CO/5, para 40.

¹⁵ Children (Equal Protection from Assault) (Scotland) Act 2019.

¹⁶ Scottish Government, ‘Minimum Age of Criminal Responsibility: Consultation Analysis’ (2016) <<http://www.gov.scot/publications/minimum-age-criminal-responsibility-analysis-consultation-responses-engagement-children-young/>> accessed 10 July 2023; Together (Scottish Alliance for Children’s Rights), ‘Incorporation of the UN Convention on the Rights of the Child’ (n.d.) <<https://www.togetherscotland.org.uk/about-childrens-rights/monitoring-the-uncrc/incorporation-of-the-un-convention-on-the-rights-of-the-child/>> accessed 10 July 2023.

¹⁷ UNCRC (n 9), article 12.

¹⁸ Committee on the Rights of the Child, ‘General Comment No. 12: The Right of the Child to Be Heard’ (2009) CRC/C/GC/12 (General Comment 12).

3. Respectful (This includes both the initiation of ideas and activities, and understanding of the socio-economic, environmental, and cultural context of children's lives)
4. Relevant to children's lives
5. Child-friendly
6. Inclusive
7. Supported by training
8. Safe and sensitive to risk
9. Accountable

A theme that underpins these requirements is empowerment. This overarching concept can be summarised as the obligation of state parties to employ a sustained practice of ensuring children have the knowledge and confidence to report on the implementation of the UNCRC beyond the space of a singular participation mechanism.¹⁹ Hence, the child's personal development within a participation mechanism must be a primary consideration for state parties.

Legal scholars have offered complementary interpretations as to how the legal requirements of GC 12 can be delivered in practice. Professor Laura Lundy's "Lundy Model" combines sociological theory and policy practices to outline that children require 'space, voice, audience, influence' within a rights-based participation mechanism.²⁰

'Space' highlights the primary stage in which children are 'given the opportunity to express a view' and included in the policy-making process.²¹

'Voice' requires that children are supported to express their views.

¹⁹ Mary Mitchell, Laura Lundy and Louise Hill, 'Children's Human Rights to "Participation" and "Protection": Rethinking the Relationship Using Barnahus as a Case Example' n/a Child Abuse Review 1.

²⁰ Laura Lundy, "'Voice' Is Not Enough: Conceptualising Article 12 of the United Nations Convention on the Rights of the Child' (2007) 33 British Educational Research Journal 927, 1.

²¹ Laura Lundy, 'Enabling the Meaningful Participation of Children and Young People Globally: The Lundy Model' (2014) <<https://www.qub.ac.uk/Research/case-studies/childrens-participation-lundy-model.html>> accessed 1 July 2023.

'*Audience*' insists that the views of the child are listened to and respected. This requires adults to adopt the roles of the responsive 'audience' and children the speakers.

'*Influence*' captures the importance of designing children's participation mechanisms as part of a wider policy process, which translates children's contributions into legislation.

The numbered GC 12 criteria and terms of Professor Lundy's interpretations will be referenced in italics throughout this work.

b) Child Rights Budgeting and Progressive Realisation (Article 4)

Children as rights holders have dual needs of protection and participation.²² In order to comprehend this duality, governments must account for the evolving capacities of the child and the notion that each child, depending on their age and circumstances, will be at different stages of their '(gradual) autonomy' and emancipation from their dependency on the adults around them.²³ This notion is accounted for within UNCRC article 5 which states that state parties must respect parents and carers of the child to act 'in a manner consistent with the evolving capacities of the child' they are responsible for.²⁴

Crucially, the prior legal framework for children's participation must be perceived as outlining the basic requirements of the state in its approach to participation mechanisms for children. It is important to note that state parties are legally obliged to utilise the maximum available resources in its 'fiscal envelope' to progressively realise children's rights.²⁵ 'Progressive realisation' accounts for flexibility in the full realisation of children's

²² Eva Brems, 'Lessons for Children's Rights from Women's Rights?: Emancipation Rights as a Distinct Category of Human Rights' in Eva Brems, Ellen Desmet and Wouter Vandenhole (eds), *Children's Rights Law in the Global Human Rights Landscape* (Routledge 2017) 97.

²³ Ibid.

²⁴ UNCRC (n 9), article 5.

²⁵ Alexander Pedersen and others, 'Child Rights Budgeting in Scotland: Recommendations for Fulfilment of Legal Obligations' (2023) 30
<https://www.togetherscotland.org.uk/media/3358/human_rights_clinic_final_version.pdf>.

rights.²⁶ Also, it accounts for full adherence to UNCRC rights as a long-term process that is continually developing, rather than an obligation which can be completed.²⁷ Therefore, to become leaders on the international stage for children's participation rights, the Scottish Government should plan to extend beyond basic 'adherence' and aim towards a maximalist approach which incorporates contemporary innovative practices into its domestic process of reporting to the CRC.

²⁶ UNCRC (n 9) article 4.

²⁷ Lillian Chenwi, 'Unpacking "Progressive Realisation", Its Relation to Resources, Minimum Core and Reasonableness, and Some Methodological Considerations for Assessing Compliance' (2013) 46 *De Jure Law Journal* 742, 744.

3. Comparative Analysis of Children’s Participation Mechanisms

The simplified reporting procedure is a cyclical process lasting around five years in which the CRC holds a state party to account for its adherence to the UNCRC.²⁸ The process begins with the Committee producing a list of issues with ‘the most pressing concerns’.²⁹ CSOs and other children’s rights defenders can submit written inputs which provide an alternative perspective to the state’s rights adherence. The country under review submits its response in the form of a state report, which is later analysed during the pre-session and session. There is then a period of follow-up before the cycle recommences. This section explores three key entry-points for children’s participation: List Of Issues Prior to Reporting (LOIPR), pre-session and session, and follow-up.³⁰

a) LOIPR

The preparation of the LOIPR presents a key entry-point for children’s participation in the form of consultations with children to represent how their rights are being upheld in their jurisdiction. Fundamentally, the domestic and global practices in this stage are essential as they provide the *space* for previously unaddressed issues to become scrutinised by rights professionals throughout the subsequent cycle, and pressure state parties to act in response to these concerns.³¹

i) Scottish Examples

²⁸ Child Rights Connect, ‘Engaging in the Reporting Cycle of the UN Committee on the Rights of the Child’ <<https://crcreporting.childrightsconnect.org/#:~:text=Each%20cycle%20lasts%20approximately%205,or%20the%20Simplified%20Reporting%20Procedure>> accessed 5 July 2023 (Child Rights Connect Reporting Cycle n.d.).

²⁹ Child Rights Connect, ‘Simplified Reporting Cycle’ <<https://crcreporting.childrightsconnect.org/simplified-cycle/>> accessed 5 July 2023.

³⁰ Ibid.

³¹ Ziba Vaghri, ‘Introduction’ in Ziba Vaghri and others (eds), *Monitoring State Compliance with the UN Convention on the Rights of the Child: An Analysis of Attribute* (Springer) 3.

A) Reports to inform the LOIPR

In Scotland, NGO efforts to consult with children to inform the 2021 LOIPR presented how children were perceiving the implementation of their own rights. However, the majority of initial reports derived their information from secondary sources, such as membership organisations' consultations with children.³² This is evident in the report to inform the LOIPR written by Together, which spoke to its wide-range of members to identify the top thirty issues which Children's Rights Defenders and children wanted to see addressed by the Committee.³³ This was accompanied by a webinar series where adults, such as staff of these organisations and social workers, could meet to discuss the prevalent issues that were arising in their research. This mechanism consulted with children 'where possible' due to a limited capacity for direct consultations, and filled these consultative gaps through speaking to its member organisations.³⁴

Another crucial contributor was the Children and Young People's Commissioner Scotland (CYPCS) and its two joint reports written alongside Commissioners from the other UK jurisdictions. Its second report was centred around children's views and experiences and utilised workshops and questionnaires as well as 'staff facilitated online discussions with children and young people'.³⁵ However, COVID-19 restrictions created challenges in fully realising children's participation rights in this process. As a result, CYPCS was unable to have face-to-face engagement with children. Instead, the advisory group met online and outsourced its workshops for marginalised children to local organisations.³⁶ This report amplified the *voices* of children by utilising direct quotes to provide an idea of the key issues children had been facing, such as a young child expressing that 'lockdown made my primary household (my dad's) incredibly more hostile'.³⁷

³² Together (Scottish Alliance for Children's Rights), 'Children's Rights in Scotland (UK): Civil Society Report to Inform the UN Committee on the Rights of the Child's List of Issues Prior to Reporting' (2020) <https://www.togetherscotland.org.uk/media/1767/together-loipr_final.pdf>.

³³ Ibid.

³⁴ Ibid, p4.

³⁵ Children's Commissioner Report 2020 (n1).

³⁶ Ibid, p62.

³⁷ Ibid, p21.

However, this report to inform the LOIPR using ‘recent consultations, reports and publications... to fill identified gaps in information’ still presents children’s views filtered through the adult lens.³⁸ Notably, a substantial number of the quotes in both reports are drawn from secondary sources. Such as the quote above being extracted from the English Children Commissioner’s ‘Advocacy for Children’ report conducted in 2019. These are instances where Professor Laura Lundy argues there should not be a shame around children not being directly consulted in every mechanism.³⁹ Since, CSOs are working within a limited capacity, they should aim to include children’s *voices* wherever they can.

Nevertheless, a predominant use of this method reflected the limited funding for more substantive and direct engagement in Scotland. In turn, this infringed on the ability of children to (3) *initiate ideas and activities*. With an absence of direct consultations related to the CRC reporting cycle itself, NGO staff controlled the narrative that the Committee received on Scotland’s rights adherence through selecting the rights issues they believed were (4) *relevant to children’s lives*. Subsequently, it is important for the next round of reporting that the Scottish Government realises the aims of GC 12 by funding initiatives that create the *space* ‘to enable children to highlight and address the issues they themselves identify as relevant and important’.⁴⁰

B) CRC Member Amal Aldoseri Visit

In the lead up to the CRC adopting its 2015 List of Issues, CSOs invited CRC Vice Chairperson, Amal Aldoseri, to visit Scotland. As part of her visit, Ms Aldoseri heard ‘directly from Scotland’s children and young people about their experiences of life here’.⁴¹ This local opportunity allowed a wide range of children access to communicating with a Committee member. For example, Shilla Zwizwai, Ambassador for Who Cares?

³⁸ Ibid, p4.

³⁹ Laura Lundy [2018] In defence of tokenism? Implementing children’s right to participate in collective decision-making. *Childhood*, 25(3), 340-354.

⁴⁰ General Comment 12 (n 18), para 134(d).

⁴¹ Jordan Linden, ‘#TellTheUN’ (31 August 2015) <<https://togetherscotland.blog/2015/08/31/telltheun/>> accessed 5 July 2023.

Scotland reflected that she was able to ‘speak up on behalf of the 16,000 care experienced young people in Scotland’ which she found ‘surreal’ and ‘empowering’.⁴² For children, Committee members are figures who relay that their *voices* have had a significant *influence* on how the Committee perceives Scotland’s adherence to the UNCRC. Hence, this presented an opportunity for a wider range of children to directly interact with a Committee member outside of the Geneva sessions. This is valuable due to the Geneva trips requiring extensive travel, preparation and for children to be ‘confident in expressing themselves’ in large meetings.⁴³

For this mechanism, CSOs made a significant effort to invite all children to submit comments through email in a (5) *child-friendly* manner for Ms Aldoseri to respond to.⁴⁴ Notably, this visit occurred within the former ‘standard procedure’ for the CRC reporting cycle. A visit from a Committee member is no longer permitted under the equivalent stage of the new ‘simplified’ reporting cycle.⁴⁵ Nevertheless, this example shows the power of providing children with opportunities to have direct interactions with Committee members in their jurisdiction. The Scottish Government and CSOs should explore ways to harness this within the rules of the new reporting process.

ii) Global Examples

A) Canada and The Global Child Rights Dialogue

This section focuses on the Global Child Rights Dialogue (GCRD) which collated the *voices* of children from a wide range of jurisdictions to moderate global state adherence to the UNCRC. On a smaller scale, this framework could be useful for integrating the

⁴² Shilla Zwizwai, ‘Speaking to the UN about and for Care Experienced Young People’ (13 October 2015) <<https://togetherscotland.blog/2015/10/13/speaking-to-the-un-about-for-care-experienced-young-people/>> accessed 5 July 2023.

⁴³ Kaspar Burger, ‘The Role of Social and Psychological Resources in Children’s Perception of Their Participation Rights’ (2017) 79 *Children and Youth Services Review* 139, 140.

⁴⁴ Together (Scottish Alliance for Children’s Rights), ‘Life in Scotland – Have YOUR Say!’ (2015) <<https://www.togetherscotland.org.uk/news-and-events/news/2015/08/life-in-scotland-have-your-say/>> accessed 7 July 2023.

⁴⁵ Child Rights Connect Reporting Cycle n.d. (n 28).

participation of children outside of the central region of Scotland into the UNCRC reporting process.

GlobalChild in partnership with Professor Laura Lundy produced a wide-reaching dialogue, with 1,836 children from 52 sites in 35 countries participating.⁴⁶ This project outsourced the facilitation role to local moderators from children's rights organisations in different jurisdictions. All facilitators and contributors received *(1) transparency and knowledge* of the process they were about to participate in through low-literacy versions of resources, example activities and providing the research questions beforehand.⁴⁷ This framework demonstrated that in order to perform a consistent consultation process, a mechanism must practice an expansive definition of *(2) informed consent*.

Compellingly, the notion of low-literacy resources is commonplace in Canada. Domestic law does not consider one 'legally informed' unless they fully understand the information given to them.⁴⁸ This recognises that solely providing all of the relevant information is not always adequate.⁴⁹ This was a pertinent consideration for making the process *(5) child-friendly* for children, but also a crucial example of how organisations consulting with a range of facilitators must account for a range of literacy levels, languages and preferred modes of absorbing information. Hence, the notion of 'informed consent' ensures that frameworks which outsource the consultation to a range of facilitators adequately *(7) supports* both facilitators and participants throughout the process.

Crucially, outsourcing the role of the facilitator was expertly conducted with an awareness that local organisations have the best knowledge of the rights-based issues in their region. In the context of the Scottish Government's policy priority of eradicating child poverty, learning from this approach could be crucial to *(3) understand the socio-economic, environmental and cultural context of children's lives* outside of

⁴⁶ GlobalChild and Queen's University Belfast Centre for Children's Rights, 'The Global Child Rights Dialogue (GCRD): Final Report' (2019) 11
<https://www.unb.ca/globalchild/_assets/documents/gcrd-full-report-final.pdf>(GCRD Report 2019).

⁴⁷ Ibid, p12.

⁴⁸ Police ABC, 'Measuring the Literacy Problem in Canada' (*Literacy and Policing in Canada*)
<http://policeabc.ca/files/factsheets_englishPDFs/Literacy_factsheets_eng.pdf> accessed 17 July 2023.

⁴⁹ Ibid.

Scotland's central cities.⁵⁰ In this mechanism, some local organisations were able to consult with street-involved children who shared their unique concerns about manipulation, fear of being kidnapped and cases of missing children.⁵¹ Here, a correlation was presented between local participation processes and 'some strategies for advancing towards the creation of more diverse and include arenas of participation'.⁵² This became evident through the choice to make under-represented children comfortable through working with facilitators who they had a 'prior relationship with'.⁵³

Further, this approach fosters an (6) *inclusive* participation model through the way it values the 'useful nuances' of under-represented children.⁵⁴ Notably, this mechanism translated these consultations into UNCRC indicators. These called on state parties to ensure that all children have 'the rights to names and identity' in response to the consultations with street-involved children.⁵⁵ Hence, this mechanism displays how the Scottish Government could ensure that local CSOs are funded in the LOIPR stage to highlight the issues under-represented children face, and translate their views into policy recommendations which ensure their *voices* have *influence* in the reporting process. Overall, this mechanism demonstrates a framework for outsourcing nationwide consultations with children which is consistent and (6) *inclusive*.

B) Welsh 'Little Voices' Project

The Welsh project 'Lleisiau Bach' or 'Little Voices' exemplifies a promising approach for consulting with children under the age of 11. This mechanism valued young children as key 'researchers' who helped assess how successfully Wales was adhering to GC 7

⁵⁰ Scottish Government, 'Tackling Child Poverty Delivery Plan 2022-26' (2022) <<http://www.gov.scot/news/tackling-child-poverty-delivery-plan-2022-26/>> accessed 5 June 2023.

⁵¹ GCRD Report 2019 (n 46), p8.

⁵² Noemi Laforgue and others, 'An Intersectional Analysis of Child and Adolescent Inclusion in Local Participation Processes' (2022) 10 Social Inclusion 66, 1.

⁵³ GCRD Report 2019 (n 46), p7.

⁵⁴ Ibid.

⁵⁵ Ibid, p10.

'implementing child rights in early childhood'.⁵⁶ This General Comment obligates state parties to provide opportunities for younger children to become 'an active participant in the promotion, protection and monitoring of their rights'.⁵⁷ Accordingly, this section will be analysing the training guidance of 'little voices' and its 2015 report to the UNCRC.⁵⁸

Little Voices made it evident that participation mechanisms involving younger children must carry out an approach to criteria (1) *transparent and informative* which is continual. Its methodology guided facilitators to re-iterate key information about the organisation and the purpose of its activities throughout the process. Crucially, this approach accounted for younger children being less likely to retain important information. Subsequently, this more engaged approach fulfils criteria (2) *voluntary* at every stage of the mechanism.

Compellingly, the responsibility of ensuring an evaluative process is on the facilitators. Here, the adults were encouraged to take notes in the sessions on what the children were good at, what they were enjoying, what they liked to do in their spare time and re-oriented the activities accordingly.⁵⁹ This was a promising practice due to the way this resulted in activities which had a (4) *relevance to children's lives* in the *space* itself.

Moreover, this adaptation continued into criteria (3) *initiation of ideas and activities*. Whilst GlobalChild permitted the older children to inform facilitators of the design of the research questions, this mechanism instead created *space* for the contributions of the children to lead the discussions to adapt criteria (3) for their age group.⁶⁰ For example, in one session facilitators prompted the children to write responses to the question 'what do children need?'.⁶¹ From here, they hid these cards and the children had to find and categorise them. This was an example of a fun and engaging practice which also

⁵⁶ Committee on the Rights of the Child, 'General Comment No. 7: Implementing Child Rights in Early Childhood' (2006) CRC/C/GC/7/Rev.1.

⁵⁷ Ibid, para 14.

⁵⁸ Little Voices, 'Children's Report from Wales to the Committee on the Rights of the Child 1st July 2015 Wales' (2015) <<https://www.swansea.ac.uk/media/UN-5th-Periodic-Report-Little-Voices.pdf>>.

⁵⁹ Little Voices, 'Training Manual' (2017) 8 <<https://www.lleisiaubach.org/wp-content/uploads/2021/11/Training-Manual-Eng.pdf>>.

⁶⁰ GCRD Report 2019 (n 46), p11.

⁶¹ Ibid, p9.

guided discussions and allowed children to reflect on how their peers experience their rights in Wales. This malleable process was more appropriate for younger children and adapted to the ‘evolving capacities’ of the child, as an unmediated peer-led discussion could have been ineffective for relevant data collection.⁶²

Overall, this framework exemplifies how consultation mechanisms need to be constantly adapted to adequately make younger children’s *voices* heard in this initial reporting stage. However, it should be noted that gaps remain in finding promising methods for consulting with babies and early years children. Some of the ‘Little Voices’ methodology, such as a reflexive approach to the sessions depending on the children’s observed interests, could be applied in this context. Nevertheless, the Scottish Government should seek to further research the youngest age groups with the end of progressively realising their participation rights.

C) Children’s Reports to Inform the LOIPR

The opportunity for children to submit reports on their own behalf to inform the Committee’s LOIPR is an entry-point which is currently under-explored in Scotland. As with the ‘alternative reports’ which can be submitted ahead of the pre-session, these early reports can be initiated by ‘any child’s rights defender’, including children.⁶³ However, unlike traditional reports which have strict formatting requirements, children’s submissions can use other communication formats and, when in writing, do not have a word limit.⁶⁴ This is exemplified in the first youth-led report in 2019 from The Dutch National Youth Council in the Netherlands. These child right’s defenders utilised a survey which produced statistics on 638 children’s perception of their rights. Notably, these young people (3) chose to shine a spotlight on 48 children in a range of vulnerable situations who were directly quoted. They were able to share their views in

⁶² UNCRC (n 9), article 5.

⁶³ Child Rights Connect Reporting Cycle, n.d (n 28).

⁶⁴ Committee on the Rights of the Child, ‘Simplified Reporting Procedure: Information Note for Stakeholders’

<<https://www.ohchr.org/sites/default/files/Documents/HRBodies/CRC/InfoNoteStakeholdersSRP.docx>>.

the comfort of focus groups with their peers.⁶⁵ Compellingly, establishing funding opportunities for NGOs to support children to participate in this stage, will make children's *voices* heard directly, rather than heard through the interpretation and language of adult NGO professionals through their reports.⁶⁶

b) Geneva Pre-Session and Session

The Geneva pre-session offers an opportunity for children's rights defenders to hold private discussions with Committee members on issues of concern ahead of the session. Children are also able to meet Committee members in a 'separate confidential meeting if they request in advance'.⁶⁷ For the session itself, state officials meet with the Committee in Geneva for a dialogue on the issues raised in the reports, at the pre-session, and to clarify any unaddressed concerns.⁶⁸ These face-to-face meetings present a crucial opportunity for (9) *accountability* and empowerment.

i) Team Scotland

A) The MSYPs and MCPs

In 2023, funding from the Scottish Government and CYPSCS enabled CSOs to support a group of children and young people to participate in the UK's pre-session and session. The children and young people in 'Team Scotland' consisted of Members of the Scottish Youth Parliament (MSYPs), Members of the Children's Parliament (MCPs), and Young Advisors to the CYPSCS.⁶⁹ The MSYPs and the MCPs served as representatives in Geneva to ensure that the wider population of children could 'present their views and

⁶⁵ Child Rights Connect, 'My Pocket Guide to CRC Reporting' (2020) 23
<<https://www.childrightsconnect.org/wp-content/uploads/2018/05/crcbookleteng.pdf>>.

⁶⁶ Child Rights Connect Report 2014 (n 8).

⁶⁷ Child Rights Connect, 'Convention on the Rights of the Child: Pre-Session'
<<https://cocreporting.childrightsconnect.org/convention-on-the-rights-of-the-child-pre-session/>> accessed 5 June 2023.

⁶⁸ Ibid.

⁶⁹ Ibid.

make them known to relevant *audiences*'.⁷⁰ This role included formulating a children and young people's report with ongoing support from Together and other CSOs prior to their two pre-session and session visits in 2023.⁷¹ Additionally, the trips to Geneva required a significant period of preparation, a formal children's meeting as well as informal interactions with Committee members.⁷² Crucially, the reports they submitted ensured that the Committee were aware of the details of the arguments Team Scotland were making which could not be communicated in their one time slot with them.⁷³

For the two MSYPs and two MCPs, Scottish Youth Parliament (SYP) and Children's Parliament (CP) assigned an adult to work alongside the young people with whom they had an existing relationship of trust, and who acted as an immediate point of contact.⁷⁴ This contributed to a realisation of their participation rights for two key reasons; they were (7) *supported by training* and were provided with (1) *transparent and informative* guidance throughout. In this time period, Scottish Youth Parliament (SYP) staff sent weekly preparatory emails to accommodate for the difficulties of both young people balancing exams and their role as MSYPs, whilst also needing to be informed on the pressing issues to be addressed in front of the Committee.⁷⁵ Based on these briefings, the MSYPs chose to prepare detailed speeches to present to the Committee. This ensured that with the support and information they received from SYP they had the agency to (3) *choose* how to communicate to the Committee, based on what made them feel comfortable to speak in an adult-centric forum.

⁷⁰ General Comment 12 (n 18), para 129.

⁷¹ Team Scotland, 'Report to the UN Committee on the Rights of the Child from Children and Young People in Scotland' (2023) <https://www.togetherscotland.org.uk/media/3265/cyp_report_2023_digital_final.pdf>.

⁷² Stewart Henderson D and Johnston B, 'Looking Back on Our Time at the UN - Scottish Youth Parliament' (16 June 2023) <<https://syp.org.uk/looking-back-on-our-time-at-the-un/>, <https://syp.org.uk/looking-back-on-our-time-at-the-un/>> accessed 23 June 2023 (Stewart Henderson and Johnston 2023).

⁷³ Together (Scottish Alliance for Children's Rights), 'Together Gives Evidence to the UN Committee in Geneva!' <<https://www.togetherscotland.org.uk/news-and-events/news/2023/02/together-gives-evidence-to-the-un-committee-in-geneva/>> accessed 3 July 2023 (Together Blog 2023)..

⁷⁴ Children's Parliament, 'Making Rights Real in Geneva' (30 March 2023) <<https://www.childrensparliament.org.uk/making-rights-real-in-geneva/>> accessed 6 June 2023 (Children's Parliament Blog 2023).

⁷⁵ Ibid.

Whilst the two MSYPs were 17 during the trip, the Children's Parliament provides a model for the participation of children below the age of 16 in Geneva. For example, in their preparatory work the MCPs engaged in a (1) *transparent and informative* experience of learning about the UNCRC through making jigsaws and art out of their rights and building maps of places that make them feel happy, healthy and safe.⁷⁶ Notably, staff from the Children's Parliament stated this (5) *child friendly* approach encouraged the MCPs to 'harness the experience' through engaging in a more informal manner.⁷⁷

Comparatively, an analysis of the Committee's own practices is outside of the scope of this work. However, evidence from MCPs and MSYPs echoes critiques from children from other jurisdictions, who reflect that meetings with the Committee are not always (5) *child-friendly*.⁷⁸ It is important to recognise this to alert the Scottish Government and CSOs to the balancing act required in the Geneva sessions to achieve a (5) *child-friendly* experience as well as an empowering and impactful one. Whilst the children in Team Scotland cannot be expected to have an extensive understanding of all rights-based issues, the responsibility was on CP and SYP to instil the preparation and (7) *support* necessary for children to participate within their own capacity in this adult-centric *space*. This is where the (3) *initiation of ideas and activities* was crucial, as the MSYPs were able to choose the more 'adult' approach of presenting their findings in a speech because they found this fit their skill-sets best, rather than having the content and mode of communication set as an expectation.

Compellingly, the role of MCP and MSYP allowed for a confluence of obligations as representatives of the children in Scotland, whilst integrating their own policy interests and personal experiences into their work. This was evident in the way that the MSYPs pushed for 'community-based therapeutic mental health services and programmes for

⁷⁶ Children's Parliament, 'Reflections: St Andrews Project' (5 June 2023)

<<https://www.childrensparliament.org.uk/reflections-st-andrews-project/>> accessed 8 July 2023.

⁷⁷ Children's Parliament Blog 2023 (n 74).

⁷⁸ Child Rights Connect, 'Children Providing Inputs to a State Party Report to the CRC Committee: Iceland' (2021)

<<https://childrightsconnect.org/wp-content/uploads/2018/01/child-rights-connect-case-study-iceland-en.pdf>>.

children of all ages' based on previous programmes they had been involved in.⁷⁹ This was an issue the MSYPs raised in the children's meeting. However, the Committee did not feature it in their communication to the state delegation. With (7) *support* from adults, the MSYPs were given the confidence to send a follow up communication to a Committee member despite the session having closed.⁸⁰ This resulted in the Committee including it as a recommendation in the concluding observations.⁸¹

Notably, in spite of the *space* in Geneva being predominantly adult-centric, the empowering process of firmly advocating for the MSYP's special policy interests becoming a tangible recommendation published by the Committee is significant. This provides a force for which the MSYPs and their successors can be empowered by the Committee to hold the Scottish Government to (9) *account*, beyond the structured stages of the cycle to national advocacy *spaces* to ensure it implements such recommendations. This notion was reflected by Omima, one of the Members of Children's Parliament (MCPs), by stating that 'it's harder to ignore what children are saying when we are face to face with the UN'.⁸²

Subsequently, whilst the MCP and MSYP roles were examples of participation mechanisms which GC 12 states were 'just one of many approaches to the implementation of article 12... as they only allowed for a relatively small number of children to engage'.⁸³ These were crucial mechanisms for directly influencing the concluding observations and setting the tone for the post-concluding observation period. Hence, the global examples for this section will be helpful to demonstrate to the Scottish Government how it can fund and facilitate further opportunities for children's

⁷⁹ Scottish Youth Parliament, 'Governments Must Step up to Protect Children's Rights, Warns United Nations' (2 June 2023)

<<https://syp.org.uk/governments-must-step-up-to-protect-childrens-rights-warns-united-nations/>> accessed 12 June 2023.

⁸⁰ Stewart Henderson and Johnston 2023 (n 72).

⁸¹ Concluding Observations 2023 (n 2), para 43(c).

⁸² Together (Scottish Alliance for Children's Rights), 'Together Gives Evidence to the UN Committee in Geneva!'

<<https://www.togetherscotland.org.uk/news-and-events/news/2023/02/together-gives-evidence-to-the-un-committee-in-geneva/>> accessed 3 July 2023 (Together Blog 2023) (n 73).

⁸³ General Comment 12 (n 18), para 127.

participation alongside the sessions in Geneva, in Scotland. With a wider range of creative tasks so that children of all ages, backgrounds and abilities can be included in this stage of the reporting cycle.

B) Young Advisors to the Commissioner

Compellingly, the Young Advisors to the Commissioner performed the role of storytelling at the May 2023 Geneva session. They were tasked with ascertaining which Committee members to interview, which questions to ask, and how best to frame this through the CYPCS's social media channels.⁸⁴ Primarily, the design of this participation mechanism provided the *space* for the Advisors to (3) *initiate ideas and activities* and be creative in their storytelling of the event. For example, they chose to interview Committee member Faith Marshall-Harris on the UK's Illegal Immigration Bill, which she was direct and critical of during the session.⁸⁵ This informal and highly condemning comment on the Bill and its implications for children's rights exemplified that recording Committee members' interactions with children results in a more (5) *child friendly* explanation of their concerns about complex issues.

However, the interactive element of this role meant that children who were involved in the process must have the confidence to speak directly to Committee members. Hence, it is essential that broader participation mechanisms are accessible at the domestic level to ensure all children who wish to engage in the process are able to do so in a more comfortable environment. This could include opportunities such as Committee member visits. Nevertheless, feedback from the Young Advisors demonstrated that being in Geneva was an essential source of empowerment and also crucial for gaining more (1) *transparency and information* on the UNCRC reporting process. The group of

⁸⁴ Children and Young People's Commissioner Scotland, 'Daisy from #TeamScotlandUN Demonstrating How Important It Is That Children and Young People Are a Key Part of @UNChildRights1 Examination of State @GOVUK and @scotgov Children's Rights Record.'
<<https://twitter.com/CYPCS/status/1659508752804880386>> accessed 6 July 2023.

⁸⁵ Children and Young People's Commissioner Scotland, 'Young Advisors Grace and Ally Caught up with Faith Marshall-Harris from UN Committee for Her View on @GOVUK Illegal Migration Bill.'
<<https://twitter.com/CYPCS/status/1659241472875429906>> accessed 6 August 2023.

young advocates in 'Team Scotland' were able to observe the flaws and limitations of the system and gain the ability to pinpoint both how the cycle can be utilised as a mechanism to implement their rights.⁸⁶ Hence, to ensure (9) *accountability*, it is important that children continue to be present in *spaces* where decisions are being made.

ii) Global Examples

A) The CRC's 84th Session in Samoa

The CRC's 84th extraordinary session in Samoa was an example of a site for children's participation which provided multiple entry-points for all children to participate through a vast programme of 'side events'.⁸⁷ For the scope of this project, this section will draw on the creative methods children were encouraged to utilise in their participation to draw learning for domestic mechanisms which could create avenues for a more (6) *inclusive* pre-session and session period.

Crucially, this session was a novel endeavour due to being the first one held outside of Geneva. This was an opportunity for the Committee to engage with local stakeholders, including around 100 children and 141 government representatives, and create a wider programme of events.⁸⁸ Primarily, this format was both (5) *child-friendly* and empowering. Particularly within the 'side events' where children received a high standard of (1) *transparency and information* about rights issues due to the training sessions they received to engage in the rights-based language of the discussions.⁸⁹ These side events are a promising model for introducing an array of methods for

⁸⁶ Children and Young People's Commissioner Scotland, 'Scotland's Children and Young People Help UN Grill Governments on Children's Rights' (19 May 2023) <<https://www.cypcs.org.uk/news-and-stories/scotlands-children-and-young-people-help-un-grill-governments-on-childrens-rights/>> accessed 6 August 2023.

⁸⁷ Child Rights Connect, 'The 84th Extraordinary Session of the Committee on the Rights of the Child' (2020) <<https://childrightsconnect.org/wp-content/uploads/2020/02/side-events-poster-a4.pdf>> (Child Rights Connect Poster 2020).

⁸⁸ Child Rights Connect, 'Extraordinary 84th CRC Session in Samoa' (2020) <<https://childrightsconnect.org/samoa/>> accessed 16 July 2023 (Child Rights Connect Website 2020).

⁸⁹ Child Rights Connect Website 2020 (n 88).

children to communicate their experience of their rights. For example, the ‘child rights to freedom’ side event consisted of young people using song, dance and monologue to ‘take you on a journey of child life in Samoa’.⁹⁰ This performance informed Committee members on the experience of young girls in Samoa and how they perceived their own rights. Comparatively, the young people in ‘Team Scotland’ are in their teenage years, due to their roles as representatives requiring them to speak articulately to Committee members about rights-based issues and having a comprehensive knowledge of their campaign priorities, such as the climate crisis.⁹¹

Conversely, the ‘side events’ around the domestic Committee session in Samoa provided a promising framework for funnelling (6) *inclusive* children’s participation mechanisms into the session. This is evident through the way the children adopted the positions of co-moderators, contributors, observers, and performers.⁹² This range of participatory opportunities encouraged children to express themselves in a way that best suited their needs and, as such, were valuable ‘advocacy opportunities’ which realised their article 12 right to be heard.⁹³ Here, the Samoa session displayed that providing a variety of roles for children to participate makes for a more (6) *inclusive* process.

Subsequently, the Scottish Government and CSOs should explore opportunities to create a wider variety of participation opportunities at a domestic level to complement the pre-session and session taking place in Geneva. These could include creative workshops expressing Team Scotland’s campaign priorities in a manner of expression the children choose, or making *space* for children outside of Team Scotland to co-moderate, observe and contribute to preparation sessions. The (6) *inclusivity* of the Samoa session is essential for learning, as the children stated that they felt as if the

⁹⁰ Child Rights Connect Poster 2020 (n 87).

⁹¹ Rosy Burgess, ‘Raising Young People’s Voices at COP26 - Scottish Youth Parliament’ (25 October 2021) <<https://syp.org.uk/raising-young-peoples-voices-at-cop26/>, <https://syp.org.uk/raising-young-peoples-voices-at-cop26/>> accessed 6 June 2023.

⁹² Child Rights Connect Poster 2020 (n 87).

⁹³ UNCRC (n 9), article 12.

conferences were designed for them with some focusing on early childhood.⁹⁴ Crucially, creating a programme of rights-related events complementary to the Geneva sessions could extend the ‘hugely rewarding experience’ Team Scotland received to a wider variety of children.⁹⁵

B) The UNCRC Day of General Discussion (DGD) 2018

Similarly to the CRC session in Samoa, the 2018 DGD on Child Rights Defenders adhered to an (6) *inclusive* process which derived from its variety of participatory roles internationally, nationally and regionally. Although not part of the UNCRC reporting procedure, the DGD offers valuable learning for government and CSOs on how they can best support children's participation in formal UN processes.

Internationally, this mechanism presented the initiative of The Children's Advisory Team, consisting of 21 children from 19 countries. These children ‘received support to participate in each step of the planning, implementation and follow-up’ of the process.⁹⁶ This participatory role extended the opportunity for the child advisors to *influence* future DGDs based on the feedback they provided on the current event. This was exemplified through Child Rights Connect’s post-DGD debriefing session which aimed ‘to obtain feedback on the Day from the child participants, and to exchange and plan for follow-up activities’.⁹⁷ Also, the feedback sheet was used to identify which forms of follow up reporting, fundraising and publicising was required to disseminate information from the DGD and how the ideas discussed could be funded and realised.⁹⁸

For the scope of this work, this mechanism presents learning for CSOs to ensure children are involved in the design of participation mechanisms, as well as being

⁹⁴ Child Rights Connect, ‘A Story of the CRC Committee and Its Outreach to the Pacific Islands’ (2020) <<https://childrightsconnect.org/a-story-of-the-crc-committee-and-its-outreach-to-the-pacific-islands/>> accessed 6 August 2023.

⁹⁵ Stewart Henderson and Johnston 2023 (n 72).

⁹⁶ United Nations Office of the High Commissioner, ‘Day of General Discussion (DGD) 2018: Protecting and Empowering Children as Human Rights Defenders’ (2018) 7.

⁹⁷ Ibid, p8.

⁹⁸ Ibid.

participants. Structurally, having young people create the child-friendly resources for, and market the mechanism itself created a sense of ownership and emancipation within the project that built their personal capacity, and in turn was empowering.⁹⁹ Moreover, this framework presented how to consider children's role in the reporting cycle more holistically, beyond the stages of the mechanism itself to how they are developing as activists who have the skills and confidence to organise a group of children to hold their government (9) *accountable* outside of one event.

Further, this framework is useful to contribute to informing a potential localisation of children's participation mechanisms in Scotland. In this case, the 'DGD hubs... were created at the local, national and regional levels to promote debate on the topic of the DGD'.¹⁰⁰ Essentially, these ensured 'that discussions were not limited to a single event in Geneva'.¹⁰¹ These local discussion 'hubs' could be a useful mechanism for Scotland, to inspire a more (6) *inclusive* experience for those who are not able to travel to Geneva to discuss their rights or do not have the confidence to speak in front of the Committee. It should be noted that for this mechanism to have *influence* it must be accompanied by a concluding publication which the Scottish Government commits to act upon.¹⁰²

Overall, this international mechanism provides opportunities for learning for the Scottish Government and CSOs. Primarily, empowering children's participation at both international and local levels to design and facilitate participation mechanisms. Secondly, to encourage CSOs to collect feedback on children's experiences of this mechanism to improve their participatory model in the future.

c) Follow-up

The Committee's concluding observations serve as a country-specific source of 'positive developments, issues of concern, and ways to correct problems'.¹⁰³ Hence, the period

⁹⁹ Ibid.

¹⁰⁰ Ibid.

¹⁰¹ Ibid.

¹⁰² Ibid, p30.

¹⁰³ Sormunen 2020 (n 10), p101.

for implementation that follows the publication of this document provides another entry-point for children’s participation in the reporting cycle. At this stage, promising global examples for children’s participation utilise the concluding observations to *influence* their governments to make immediate promises to pursue the implementation of these recommendations. However, a more impactful response requires these participation mechanisms to mobilise both state and civil society actors to work towards the goals set out in the concluding observations.¹⁰⁴

i) Scottish Examples

A) Child Friendly Concluding Observations

The Committee makes it an immediate requirement for the Scottish Government to ensure that ‘a child-friendly version’ of the concluding observations ‘is disseminated to, and made widely accessible for, children, including those in the most disadvantaged situations’.¹⁰⁵ CSOs have galvanised to begin the process of developing this resource. Specifically, Together has consulted the MSYPs and MCPs on the appropriateness of the text throughout its drafting. Here, the young people adopt the role of consultants who have suggested, for example, that the materials are presented in a more engaging way, such as communicating the observations in the form of a journey.¹⁰⁶

Whilst the current efforts to produce a child-friendly report is being led solely by civil society organisations, this has not always been the case. In 2008 the Children’s Commissioner, with funding from the Scottish Government, translated the text for children into a long-form report.¹⁰⁷ This report explained each recommendation such as ‘make sure more information is available about the needs and rights of disabled children’.¹⁰⁸ Further, when a recommendation refers to another body of International

¹⁰⁴ Tara M Collins, ‘The General Measures of Implementation: Opportunities for Progress with Children’s Rights’ (2019) 23 *The International Journal of Human Rights* 338.

¹⁰⁵ Concluding Observations 2023 (n 2), para 60.

¹⁰⁶ Together (Scottish Alliance for Children’s Rights), ‘Child-Friendly Concluding Observations of the UK’ (Unpublished Draft) (2023).

¹⁰⁷ Scottish Government, ‘UN Convention on the Rights of the Child: UK Concluding Observations 2008’ (2009) <<https://digital.nls.uk/pubs/scotgov/2008/0076707.pdf>>.

¹⁰⁸ *Ibid*, p19.

Human Rights Law, such as this, there is a side note explaining the purpose of the International Convention on the Rights of Persons with Disabilities.¹⁰⁹ Hence, it was clear that the Scottish Government had an awareness of how to make this document (1) *transparent and informative* and of its role in disseminating the concluding observations to children.

However, this 2008 project did not consult with children, but rather treated them solely as consumers of such information. In turn, The Scottish Government should refer to both of these models when considering its role in funding participation mechanisms for children within the requirement to provide child friendly concluding observations. Further, through continually engaging the MSYPs and MCPs after the Geneva session, Scotland ensures that these child activists have experience participating in multiple stages of the reporting cycle. In the context of a multi-annual reporting cycle, CSOs and the Scottish Government should explore ways in which former participants can share their learning with future ones - supporting them to act as mentors to enable continuity and build confidence. This lends to children's participation in the reporting process becoming more embedded and sustained throughout the cycle and a continuation of the advocacy these young people have (3) *initiated*.

B) Annual Cabinet Meeting

The Annual Cabinet Meeting with Children and Young People is an initiative which has been running since 2017 to 'engage with children and young people on issues that matter most to them and to inform the government's agenda over the coming year'.¹¹⁰ In previous years, this work was directed across a range of issues, including involving the MCPs and MSYPs in steps towards the incorporation of the UNCRC into Scots Law.¹¹¹

¹⁰⁹ Ibid.

¹¹⁰ Scottish Government, 'Children and Young People's Participation: Practice Examples' (1 December 2021)

<<http://www.gov.scot/publications/children-and-young-peoples-participation-practice-examples/pages/annual-cabinet-meeting/>> accessed 15 June 2023.

¹¹¹ Scottish Youth Parliament, 'The Annual Cabinet Meetings with Children and Young People - Scottish Youth Parliament' (1 March 2022)

<<https://syp.org.uk/our-work/our-impact/the-annual-cabinet-meetings-with-children-and-young-people/>> accessed 6 July 2023.

In order to adequately represent the wider population of children in Scotland, SYP conducted a ‘wide consultation with young people across Scotland’ and received 10,000 children and young people’s opinions on a plethora of rights-based issues. Similarly, the MCP decided on their ‘Calls to Action’ through collecting children’s opinions on the biggest issues they face from discussions, workshops and national surveys.¹¹² For both sets of representatives, these consultations were utilised to form the basis of their manifestos and campaigning priorities.¹¹³ These approaches ensured that the content of the cabinet meeting was (3) *selected by children* and (4) *relevant to their lives*. These then became the policy priorities which were presented during the pre-session and session in Geneva.

Subsequently, this mechanism’s relevance for the UNCRC reporting process is two-fold. Primarily, as a site where the MSYPs and MCPs can speak ‘directly to the First Minister and Cabinet Ministers’ and hold them to (9) *account* on the basis of their manifesto pledges and monitor their adherence to the UNCRC.¹¹⁴ Secondly, as a potential site for a sustained practice of follow-up, ensuring that the Scottish Government is acting on implementing the previous concluding observations.

C) Together’s Child Rights Detectives

Together’s Rights Detectives are a group of children who have been working on informing a new Scottish Human Rights Bill.¹¹⁵ However, the way this model employed an (6) *inclusive* approach to participation, through its multiple participatory roles and creative peer-led activity sessions, presents a promising mechanism for children’s participation in the reporting process.

¹¹² Children’s Parliament, ‘Cabinet Takeover 2023’ (2023)

<<https://www.childrensparliament.org.uk/cabinet-takeover-2023/>> accessed 10 July 2023.

¹¹³ Scottish Youth Parliament, ‘From Scotland’s Young People’

<<https://syp.org.uk/wp-content/uploads/2020/10/SYPs-2021-26-Manifesto-Consultation-paper.pdf>>.

¹¹⁴ Together (Scottish Alliance for Children’s Rights), ‘Cabinet Takeover 2023’ (2023)

<<https://www.togetherscotland.org.uk/news-and-events/news/2023/06/annual-cabinet-meeting-with-children-and-young-people/>> accessed 14 July 2023.

¹¹⁵ Together (Scottish Alliance for Children’s Rights), ‘The Rights Detectives: Mission Update #002’ (2023) <<https://www.togetherscotland.org.uk/media/3368/detect-1.pdf>> (Rights Detectives Report 2023).

Primarily, this framework exemplified how to simultaneously (7) *support* and empower younger children, and children who may require additional guidance. This was demonstrated in the two key roles of the children within this project. Centrally, there were the six ‘Rights Detectives’ aged 11-17 who co-designed and co-facilitated creative workshops with the support of staff from Together. These children formed one of three ‘Lived Experience Boards’: children (supported by Together), people with learning disabilities (supported by Scottish Commission for Learning Disability) and broader rights holders (supported by Human Rights Consortium Scotland).¹¹⁶ Alongside this, the children and young people participating in these workshops were from various regions in Scotland.¹¹⁷

Notably, this mechanism adopted the approach of having multiple entry-points for children of various ages and with a wide-range of skill sets to participate, which was successful in the Samoa session and the 2018 DGD. On the one hand, there was a role of The Detective which required a certain level of rights-based knowledge, and communication skills. Then, there was the role of the participant who shared their personal experiences of where they may have seen children’s rights violated in their own lives. Consequently, this is a promising model for (6) *inclusivity* due to how these two roles invite children of all ages and abilities to consult on their rights. Moreover, the reliance on peer-to-peer investigations in this mechanism empowered children to participate in informal *spaces*. This is crucial for recognising that face-to-face interactions with Government ministers may not be *spaces* where children of all ages are comfortable sharing their stories.

This balance of (7) *support* and empowerment continued into the consultations relevant to UNCRC article 2 on non-discrimination and GC 9 ‘the rights of children with disabilities’.¹¹⁸ Here, Together’s report on the Detectives’ findings stated that ‘concerns

¹¹⁶ Ibid, p3.

¹¹⁷ Ibid, p4.

¹¹⁸ UNCRC article 2; UN Committee on the Rights of the Child, ‘General Comment No. 9: The Rights of Children with Disabilities’ (2007) CRC/C/GC/9.

were raised about the accessibility and maintenance of disability equipment in schools'.¹¹⁹ However, this was articulated in rights-based terms by Together's staff whilst the original quotes from children were that 'access for disabled people - lifts can be broken and you can't go up them' as well as storyboard drawings from young people in Moray.¹²⁰ Hence, The Rights Detectives exemplify that in order to be (6) *inclusive* of all ages and abilities, consultation mechanisms must employ means for children's creative interpretations of their rights. In conjunction, adults should be (7) *trained* to have the skills and knowledge required to interpret children's creative expressions, and know how to put what they learn from children into practice.

Within the follow-up stage there is an opening for an extensive period of (9) *accountability* between Scottish policy-makers and children which is not bound by formal guidelines set by the UN Committee. Hence, this stage of the reporting cycle offers a lot of flexibility for children to explore their rights through discussions, collage creating, model making, storyboarding, drama performances and even Minecraft world development.¹²¹ Further, each activity which participants engaged in were co-designed by The Detectives, and were preceded by an explanation of the UNCRC. Hence, both The Detectives through delivering these sessions and the children being consulted received (1) *transparent and informative* knowledge on their rights which could empower them to identify aspects of their community, home and school experiences which adhere to or violate their rights.

Overall, this framework could present a powerful model for involving children in the follow-up stage in a sustainable manner. Similarly to the MCPs and MSYPs, these sessions develop the rights-based knowledge and capacity of The Detectives. But rather than being geared towards face-to-face interactions with the Committee, this mechanism is centred around consulting with other children. Fundamentally, this mechanism could work in tandem with Team Scotland to create alternative participation entry-points for holding the government to account, and consulting a wider range of

¹¹⁹ Rights Detectives Report 2023 (n 115), p11.

¹²⁰ Ibid, p11.

¹²¹ Ibid, p3.

children on the implementation of the concluding observations. As such, this mechanism could be adapted for monitoring the implementation of the concluding observations. This could ensure a more inclusive, supportive and empowering approach to children's participation in the cycle. Whilst supporting the movement to a more holistic approach to the CRC reporting process, where Detectives could become 'mentors' to other participants through gaining experience in planning and hosting participation sessions. This could be very useful for the continuation of the work of Team Scotland in Geneva and monitoring the policy changes which may require a more long-term effort which extends into the next reporting cycle.

ii) Global Examples

A) Belgium Child Friendly Concluding Observations

Belgium's 2019 child-friendly concluding observations presents how the Scottish Government could initiate a collaborative approach to consult with children on creative and innovative ways this document could be framed and disseminated. Fundamentally, the (5) *child-friendly* element of this mechanism stemmed from its 'digital environment'. Here, young people co-designed and co-created 'educative poster(s)', videos on the reporting process and a child-friendly version of the concluding observations which were uploaded to an online *space*.¹²² This is a useful framework for the Scottish Government due to the ongoing participatory opportunities within this mechanism, which could allow for the progressive development of a comprehensive site with a variety of child-friendly resources between the publishing of the concluding observations and the next reporting round. Further, the Scottish Government could fund the outsourcing of direct consultations with children to a range of NGOs who could focus their individual capacities on collating separate child-friendly resources, which can be collated in one central and accessible online *space*. Overall, this seeks to overcome the separation between the Scottish Government and civil society initiation of this process to make it a more comprehensive, collaborative and sustained approach.

¹²² National Commission on the Rights of the Child, 'Child-Friendly Concluding Observations: Lessons Learned from the Belgian Experience' (2019) 5
<https://crcreporting.childrightsconnect.org/wp-content/uploads/2023/02/F4YR-roadmap.ENG_.pdf>.

B) Ireland Child Summit 2016

The Ireland Child Summit exemplifies the use of the concluding observations as a formal basis for children to demand that government officials are made (9) *accountable* for implementing the UNCRC. This mechanism, run by Irish NGO Children's Rights Alliance, took place in 2016 as an immediate effort for children, CSOs and government officials to mobilise the Irish Government to commit to addressing its 2016 concluding observations. Crucially, a vast range of representatives were included from the Irish Department of Children and Youth Affairs, to UN Committee members, legal scholars, NGO professionals and lawyers.¹²³ This confluence of members from across Irish politics and civil society signalled the necessity for a collaborative and interdisciplinary approach to planning state parties' national resource mobilisation to respond to the Committee. Most crucially, this event ensured that the release of the concluding observations did not mark the UNCRC reporting cycle 'end', but instead the beginning of a programme which signalled 'the political will to follow through on these commitments'.¹²⁴

Crucially, young people had an integral role in holding government officials to account through project teams, such as the 'picture your rights' team, who were funded by the Irish Government, to hold a panel discussion where the Irish ombudsman for children and an Irish government official had to speak on Ireland's lack of progress on children's homelessness.¹²⁵ Here, the Minister for Children and Youth Affairs publicly stated that 'as Minister I am committed to work with and support those in the frontline combating child homelessness and poverty. I am determined that Ireland will not only comply with UN recommendations but we will become one of the best countries in the world to grow

¹²³ Children's Rights Alliance, 'First Child Summit: A Symposium on the Recommendations by the UN Committee on the Rights of the Child for Ireland' (2016) <https://www.childrensrights.ie/sites/default/files/submissions_reports/files/First%20Child%20Summit%20Programme%20Final.pdf> (Child Summit Report 2016).

¹²⁴ Irish Examiner, 'Political Needs Are Put aside for Child Summit' (8 September 2016) <<https://www.irishexaminer.com/opinion/commentanalysis/arid-20419839.html>> accessed 6 June 2023.

¹²⁵ Child Summit Report 2016 (n 123), p2.

up in'.¹²⁶ Evidently, the 2016 concluding observation that Ireland's Child Care Act 1991 did not 'address the needs of children who have experienced homelessness' was a catalyst in this mechanism's discussion on how Ireland could realise children's article 27 UNCRC right to housing.¹²⁷ Integrally, children engaging in these rights-based discussions demonstrated how this current reporting period can be used as an opportunity for the government to be (1) *transparent and informative* to children on how they intend on utilising the concluding observations and to empower children to insist that the government progressively realises their UNCRC rights in this follow-up period.

In fact, the way that the Children's Rights Alliance structured this mechanism around urgent contemporary topics led to increased (9) *accountability*. For example, topics such as health, immigration, poverty and children with disabilities in early year settings ensured that the most marginalised children were at the forefront of any promises to mobilise resources before the next reporting cycle.¹²⁸ Whilst this demonstrated the criterias of being (3) *understanding of socio-economic, environmental and cultural contexts of children's lives*, it was also a tactical move to encourage state actors to engage in discussions around topics that are often ignored. As such, the Scottish Government should consider funding a similar opportunity for an interdisciplinary co-operation in the post-session stage. To produce an extensive plan to implement the concluding observations which children and young people can use to hold the government to (9) *account*.

Similarly to the MSYPs and MCPs, the 'Picture your Rights Team' involved in the event was the group of young people involved in the Geneva sessions.¹²⁹ Hence, it is crucial that Scotland (7) *supports* Team Scotland and their 'institutional memory' to 'help shape future action' and inform the Government and CSOs on the funding and resources which are needed to achieve the policy ends of the concluding observations, especially

¹²⁶ Children's Rights Alliance, 'First Child Summit Brings International Children's Rights Home to Irish Soil' (7 September 2016) <<https://childrensrights.ie/resources/first-child-summit-brings-international>> accessed 6 June 2023.

¹²⁷ UNCRC (n 9), article 27.

¹²⁸ Child Summit Report 2016 (n 123), p2.

¹²⁹ Child Summit Report 2016 (n 123), p1.

in the campaign priorities personal to them.¹³⁰ Once again, this contributes to a holistic perception of the CRC reporting cycle and places an inherent value on the knowledge and development of the child participants between the follow-up and beginning of a new reporting cycle.

C) The Bolivian Children's Parliament

Children's parliaments provide another mechanism in which children and young people can monitor the implementation of their rights outside of adult *spaces*. These formats have been utilised in the aftermath of the release of concluding observations to galvanise children to become active in ensuring that government officials act on the recommendations of the CRC.

Primarily, this follow-up mechanism diverged from that of the Ireland Child Summit through its merger of a mechanism which co-operates with adult policy makers, but utilises creative and (5) *child-friendly* methods in its preparation. For example, the child parliamentarians collected in groups to write songs, poetry and short plays about local issues which were then transferred into proposals of themes to discuss on a national level.¹³¹ Here, children were able to brainstorm in an expressive method whilst later experiencing the sense of empowerment through constructing and delivering formal speeches to Committee members. Hence, this reflects how governments could take advantage of the absence of Committee regulation on methods of communicating at this stage of the process.

Another innovative component of this mechanism was the local applicability of the model. This is an essential facet of criteria (9) *accountability* with an aim to ensure accountability on multiple levels of governance, rather than just to the central Scottish

¹³⁰ Jack Corbett, 'Introduction' in Dennis Christian Grube and others (eds), *Institutional Memory as Storytelling: How Networked Government Remembers* (Cambridge University Press 2020) 2 <<https://www.cambridge.org/core/elements/institutional-memory-as-storytelling/8DCCAAD8E7A290FDED5C3D567B0A4C75>> accessed 6 August 2023.

¹³¹ Jayashri Sarkar and Blanca Mendoza, 'Bolivia's Children's Parliament: Bringing Participation to the National Stage' (2005) 15 *Children, Youth and Environments* 227, 223.

Government. Within this model, facilitators were NGO staff who were assigned states in which they have already been working to plan for the implementation of the concluding observations.¹³² Here, there was a specific focus on making children comfortable to share ideas in local environments, which refers back to the GlobalChild methodology. At its core, this localisation of the Bolivian Children’s Parliament inspires a grassroots level model which extends the representative capacity of children beyond the central parliament *space*. This increases the sustainability of the model as it becomes an embedded practice across the country.

In turn, the Scottish Government and civil society should consider how this model could be relevant for implementing concluding observations, such as Beau Johnston MSYP’s suggestion of making ‘community-based therapeutic mental health services and programmes’ available for more children.¹³³ Here, the implementation of recommendations with an explicit community focus requires community-based participation mechanisms.

¹³² Ibid, p232.

¹³³ Concluding Observation 2023 (n 2), 43(c).

4. Concluding Recommendations

The incorporation of the UNCRC into domestic law will strengthen the Scottish Government's legal obligations around children's participation. In turn, the following recommendations are directed at both stakeholders of The Scottish Government and CSOs in recognition that collaborative action is necessary to learn from the promising global practices presented in this work. These recommendations have been structured according to the three key stages of the reporting cycle that this work has chosen to focus on. However, the learning should be used to guide Scotland to progressively realise children's participation rights at every stage of the cycle. Additionally, these recommendations should be implemented with an urgency towards ensuring that a wide-range of children of all ages, abilities and backgrounds are able to participate in the implementation of the concluding observations in the follow-up stage, which is currently commencing.

a) LOIPR

The Scottish Government:

- i) Fund consultation mechanisms which collect data on the extent to which children feel their rights are being realised through creative modes of expression, with specific attention to the needs of younger children. Ensure this information is communicated to the UK Government to inform the UK state report.
- ii) Ensure the above data on children's views is disseminated across government departments and that steps are taken to ensure government officials are skilled at interpreting children's views and taking these into account in their work.
- iii) Make support available and known for children who wish to submit their own reports independently from civil society reports.

CSOs:

iv) Produce resources for nation-wide consultation mechanisms for children with a range of literacy levels to ensure informed consent of all parties. Cooperate with local organisations who can facilitate consultations with children in their local area to feed into this nation-wide data collection.

v) Ensure that Children's Advisory Groups are a part of the designing process of any changes to, or establishments of, participation mechanisms created. These mechanisms should include multiple entry-points for participation and include children from a range of locations, ages, backgrounds and abilities.

b) Pre-Session and Session

The Scottish Government:

vi) Explore the option of hosting side-events in Scotland alongside the pre-session and session, to widen opportunities for scrutiny by children and CSOs.

CSOs:

vii) Work with children to design multiple entry points for participation around the Geneva pre-session and session such as: moderator, facilitator, speaker, observer, reporter, performer.

viii) Collect feedback from those participating during the pre-session and session on their experiences and how CSOs can better support children's participation in formal UN spaces.

c) Follow-up

The Scottish Government:

ix) Initiate children's versions of concluding observations, ensuring that children and young people are closely involved in the design, production and plans for dissemination.

x) Consult with children on how they envision the implementation of the concluding observations. Engage with children to establish their views and experiences as to the extent to which the concluding observations have been implemented, identifying areas in need of progress.

xi) Fund a mechanism where stakeholders from all sectors (academia, law, policy, practice) can collaborate with children to plan a framework for implementing the concluding observations and holding duty bearers to account.

xii) Invite a Committee member to Scotland in the follow-up stage to enable ongoing scrutiny and engagement.

CSOs:

xiii) Build on the successes of the Rights Detectives model to design a creative, participatory mechanism through which children can hold local and national government to account for their progress in implementing the concluding observations. Explore the potential of local groups which feed into the work of The Detectives to ensure a wider group of children's voices are heard.

xiv) Ensure that new structures and mechanisms complement and strengthen existing structures for children's participation. Such as, Children's Parliament, Scottish Youth Parliaments and other sites of children's participation.

d) General Recommendations

The Scottish Government:

xv) Commission research on how to progressively realise babies' and early years children's participation rights and commit to taking these findings into account in future decision making.

CSOs:

xvi) Consistently evaluate children's experiences of these participation mechanisms and take the initiative to implement the necessary changes.

xvii) Support former participants to act as mentors and ensure sufficient hand-overs between participatory roles to ensure the continuation and sustainability of children's advocacy projects throughout cycles.

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Annex: Legal Criteria and Accompanying Guidance

a) UNCRC Article 12

Article 12

1. States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.
2. For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.

b) General Comment 12

Transparent and Informative	Voluntary	Respectful	Relevant	Child-friendly	Inclusive	Supported by training	Safe space and sensitive to risk	Accountable
Children must be provided with full, accessible, diversity-sensitive and age-appropriate information about their right to express their views freely and their views to be given due weight, and how this participation will take place, its scope, purpose and potential impact	Children should never be coerced into expressing views against their wishes and they should be informed that they can cease involvement at any stage	Children should be provided with opportunities to initiate ideas and activities. Adults working with children should acknowledge, respect and build on good examples of children's participation. They also need an understanding of the socio-economic, environmental and cultural context of children's lives.	The issues on which children have the right to express their views must be of real relevance to their lives and enable them to draw on their knowledge, skills and abilities. Space needs to be created to enable children to highlight and address the issues they themselves identify as relevant and important	Environments and working methods should be adapted to children's capacities. Adequate time and resources should be made available to ensure that children are adequately prepared and have the confidence and opportunity to contribute their views. Consideration needs to be given to the fact that children will need differing levels of support and forms of involvement according to their age and evolving capacities	Participation must be inclusive, avoid existing patterns of discrimination, and encourage opportunities for marginalized children to be involved. Children are not a homogenous group and participation needs to provide equality of opportunity for all, without discrimination on any grounds. Programmes also need to ensure that they are culturally sensitive to children from all communities	Adults need preparation, skills and support to facilitate children's participation effectively, to provide them with skills in listening, working jointly with children and engaging children effectively in accordance with their evolving capacities. Children can be involved as trainers and facilitators. They require capacity-building to strengthen their skills, and training in organizing meetings, raising funds, dealing with the media, public speaking and advocacy	Adults have a responsibility towards the children with whom they work and must take every precaution to minimize risks to children of the negative consequences of their participation. Action necessary will include the development of a clear child-protection strategy. Children must be aware of their right to be protected from harm and know where to go for help if needed. Investment in working with families and communities is important in order to build understanding of the value and implications of participation, and to minimize the risks to which children may be exposed	In any research or consultative process, children must be informed as to how their views have been interpreted and used and, where necessary, provided with the opportunity to challenge and influence the analysis of the findings. Children are also entitled to be provided with clear feedback on how their participation has influenced any outcomes. Wherever appropriate, children should be given the opportunity to participate in follow-up processes or activities. Monitoring and evaluation of children's participation needs to be undertaken, where possible, with children themselves

c) Concluding observations on the combined sixth and seventh periodic reports of the United Kingdom of Great Britain and Northern Ireland

Below are the relevant sections of the Concluding Observations which were used to inform this work:

12(b)	14(a)	14(b)	23(b)	25	46(a)	60
Improve the collection and analysis of data, including in the overseas territories, on violence against children, mental health, food insecurity, malnutrition, education and the situation of children in disadvantaged situations, including children in alternative care, children with disabilities, asylum-seeking and migrant children and children of incarcerated parents;	Adopt a national strategy for awareness-raising on children's rights among the public and promote the active involvement of children in public outreach activities	Ensure systematic training on children's rights, the Convention and the Optional Protocols thereto for all professionals working for and with children, in particular those working in education, social work, law enforcement, immigration and justice	Strengthen measures to promote the meaningful participation of children in family, community and school settings and in policymaking at the local and national levels, including on so-called reserved matters, and develop mechanisms to ensure that the outcomes of children's and youth parliaments are systematically fed into public decision-making	Referring to UNCRC article 8 the right to identity: 25 the right to be heard and the right to identity, in accordance with their evolving capacities, with free and informed consent and appropriate safeguards	Develop or strengthen existing policies, with clear targets, measurable indicators and robust monitoring and accountability mechanisms, to end child poverty and ensure that all children have an adequate standard of living, including by increasing social benefits to reflect the rising cost of living and abolishing the two-child limit and benefit cap for social security benefits	The State party should take all appropriate measures to ensure that a child-friendly version is disseminated to, and made widely accessible for, children, including those in the most disadvantaged situations. The combined sixth and seventh periodic reports and the present concluding observations should be made widely available in the languages, underscoring the importance of the availability of age-appropriate information to facilitate child participation.

d) General Comments (other)

Below are the sections of the other relevant General Comments which were used to inform this work:

General Comment 5	General Comment 14	General Comment 2	General Comment 7	General Comment 21
<p>The review needs to consider the Convention not only article by article, but also holistically, recognizing the interdependence and indivisibility of human rights. The review needs to be continuous rather than one-off, reviewing proposed as well as existing legislation. And while it is important that this review process should be built into the machinery of all relevant government departments, it is also advantageous to have independent review by, for example, parliamentary committees and hearings, national human rights institutions, NGOs, academics, affected children and young people and others.</p>	<p>The fact that the child is very young or in a vulnerable situation (e.g. has a disability, belongs to a minority group, is a migrant, etc.) does not deprive him or her of the right to express his or her views, nor reduces the weight given to the child's views in determining his or her best interests. The adoption of specific measures to guarantee the exercise of equal rights for children in such situations must be subject to an individual assessment which assures a role to the children themselves in the decision-making process, and the provision of reasonable accommodation and support, where necessary, to ensure their full participation in the assessment of their best interests</p>	<p>NHRIs have a key role to play in promoting respect for the views of children in all matters affecting them, as articulated in article 12 of the Convention, by the Government and throughout society. This general principle should be applied to the establishment, organization and activities of national human rights institutions. Institutions must ensure that they have direct contact with children and that children are appropriately involved and consulted. Children's councils, for example, could be created as advisory bodies for NHRIs to facilitate the participation of children in matters of concern to them.</p>	<p>To achieve the right of participation requires adults to adopt a child-centred attitude, listening to young children and respecting their dignity and their individual points of view. It also requires adults to show patience and creativity by adapting their expectations to a young child's interests, levels of understanding and preferred ways of communicating.</p>	<p>Interventions should support individual children in street situations to exercise their rights and develop skills, resilience, responsibility and citizenship, in line with their evolving capacities. States should support and encourage children in street situations to form their own child-led organizations and initiatives, which will create space for meaningful participation and representation</p>

e) Working methods for the participation of children in the reporting process of the Committee on the Rights of the Child

Below are the relevant sections of the Committee's Working Methods which were used to inform this work:

4	10	22
<p>For child participation to be effective and meaningful at international level, it must be understood as a process and not as a single event. To the extent possible, children should be given support and encouragement to form their own organizations and initiatives, which will create an environment for them to discuss their rights and express their own views on their State's progress in implementing the Convention and its Optional Protocols, as part of the ongoing monitoring process</p>	<p>Child-led organizations, children's groups, NGOs and UNICEF should take special measures to ensure that children in marginalized and vulnerable situations — such as girls, young children, children affected by poverty, children in street situations, children in institutions, children with disabilities, refugee and displaced children, children in conflict with the law and children belonging to indigenous and minority groups — should be encouraged and enabled to participate in the reporting process on an equal basis with other children</p>	<p>Children should be fully informed by accompanying NGOs or UNICEF that these meetings are a place to provide their perspectives on various problems affecting the implementation of the Convention and/or its Optional Protocols in a specific State party and that their contribution enables the Committee to have a more complete understanding of the situation of children's rights in the State party.</p>