

Children's rights in Scotland

Children's rights are at the heart of law, policy and practice in Scotland. Workers across public services put the UNCRC at the centre of everything they do with and for infants, children and young people. Click the links below for more information.

1989 - United Nations Convention on the Rights of the Child (UNCRC) is adopted by the United Nations.

The [UNCRC](#) enters into force on 2nd September 1990 and becomes the most widely ratified human rights treaty in the world.

1991 - UNCRC is ratified by the UK.

This means that the [UK Government agrees to be bound by the UNCRC](#), but it was not directly made part of Scots law.

1995 - Children (Scotland) Act 1995 is introduced.

[Children \(Scotland\) Act 1995](#) includes references to the following children's rights with the aim of making them a part of everyday practice:

- [Right to non-discrimination \(Article 2\)](#)
- [Right to have the child's best interested taken as a primary consideration in all matters affecting them \(Article 3\)](#)
- [Right to express views freely and have them taken into account \(Article 12\)](#)

2004 - Children and Young People's Commissioner Scotland is established.

The [Commissioner for Children and Young People \(Scotland\) Act 2003](#) creates a new role of Children and Young People's Commissioner Scotland. [Their job](#) is to work to protect children's rights in Scotland. They can use [their power of investigation](#) to investigate cases involving the human rights of groups of children and young people.

2006 - Getting it right for every child (GIRFEC) is introduced.

[GIRFEC](#) is the national approach to improving outcomes through public services that support the wellbeing of children and young people. This approach is based on children and young people's rights and aims to support children, young people and their parents to work in partnership with services. In 2022, [GIRFEC is updated](#) with a focus on children's rights as an underpinning principle.

2008 - UN Committee on the Rights of the Child examines the UK.

[The UN Committee](#) finds that the UK and Scotland could do more to protect and respect children's rights.

2009 - Scottish Government responds to UN findings.

The Scottish Government publishes "[Do the Right Thing](#)" in response to the findings of the UN Committee. This sets out the Scottish Government's plans to make sure that children's rights are respected and protected. In 2012, the Scottish Government publishes a [progress report](#) and sets out an aim to make Scotland "the best place in the world to grow up".

2011 - Children's Hearings (Scotland) Act 2011 is introduced.

[Children's Hearings \(Scotland\) Act 2011](#) aims to modernise the children's hearing system in Scotland and strengthen the rights of children who are impacted by the children's hearing system.

2012 - Scottish Government launches the Common Core.

The [Common Core](#) sets out the skills, knowledge and understanding, and values that everyone should have if they work with children, young people and their families.

2014 - Children and Young People (Scotland) Act 2014 is passed.

[Children and Young People \(Scotland\) Act 2014](#) is the first that specifically mentions the UNCRC in an Act of the Scottish Parliament. It puts a duty on Scottish Ministers and (some) public authorities to report on what they are doing to make sure the rights in the UNCRC are part of decision making. It does not give children and young people a way to enforce their rights if they have not been protected and respected. The law gives the Children and Young Person's Commissioner Scotland [new powers to investigate cases](#) affecting the human rights of an individual child or young person. The Commissioner can make recommendations about what should be done to make things better.

2016 - UN Committee on the Rights of the Child examines the UK.

The UN Committee finds that the UK and Scotland could do more to protect and respect children's rights and makes nearly [150 recommendations](#) to set out what more needs to be done to further children's rights in Scotland and across the UK.

2018 - Scottish Government publishes an Action Plan 2018-2021.

In the [Progressing the Human Rights of Children in Scotland: 2018-2021 Action Plan](#), the Scottish Government commits to:

- Make the UNCRC and the rights in it part of Scots law.
- Raise awareness and understanding of children's rights.
- Develop an approach to make sure that children and young can participate in decision making.
- Support the use of Child Rights and Wellbeing Impact Assessments (CRWIA).

2019 - New laws are passed to progress children's rights.

The [Age of Criminal Responsibility \(Scotland\) Act 2019](#) increases the age of criminal responsibility in Scotland to 12. The UN Committee is clear that the minimum age should be 14 and that 15 or 16 is better.

Scottish Government sets up an [advisory group](#) to evaluate the impact of the new law, and to consider raising the age of criminal responsibility further in the future.

The [Children \(Equal Protection from Assault\) \(Scotland\) Act 2019](#) aims to end the physical punishment of children by parents and carers.

2020 - The Promise.

The [Care Review](#) sets out what Scotland must do to make sure every Care Experienced child and young person is safe, loved and respected. This is based on rights within the UNCRC. Scottish Government signs up to the actions set out within it.

2021 - UNCRC (Incorporation) (Scotland) Bill is passed by Scottish Parliament.

A new law which makes the UNCRC and the rights in it part of Scots law is passed by the Scottish Parliament. Following a court case in the UK Supreme Court, the law could not come into force.

2021 - Scottish Government publishes an Action Plan 2021-2024.

In the [Progressing the Human Rights of Children in Scotland: An Action Plan 2021-24](#), the Scottish Government aims to:

- Incorporate the UNCRC to the maximum extent possible as soon as practicable.
- Enable all children in Scotland to be aware of and understand their rights.
- Ensure all children in Scotland experience public services consistently upholding their rights.
- Bring about a fundamental shift in culture in Scottish society which will deliver a revolution in children's rights.

2022 - Scottish Government commits to reconsider the UNCRC Bill.

The Deputy First Minister [outlined that the Scottish Parliament would reconsider and amend the Bill](#), and arrange additional consultations with children, young people and other stakeholders.

2023 - UN Committee on the Rights of the Child examines the UK.

With [children and young people from Scotland playing a lead role](#) in informing its examination, the UN Committee makes nearly [200 recommendations](#) as to what more needs to be done to further children's rights in Scotland and across the UK.

2023 - Amended UNCRC (Incorporation) (Scotland) Bill is passed by Scottish Parliament.

On 7 December, the Scottish Parliament unanimously passes the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Bill for the second time.

2024 - UNCRC (Incorporation) (Scotland) Act 2024 receives Royal Assent.

The Bill receives Royal Assent on 16 January and becomes the [UNCRC \(Incorporation\) \(Scotland\) Act 2024](#). Once in force on 16 July 2024, the Act will incorporate the UNCRC into Scots law and help empower children and young people to claim their rights.

2024 - Scottish Government responds to the UN recommendations.

Scottish Government publishes [an initial response](#) to the UN Committee's recommendations.

The report includes updates on actions from the Progressing the Human Rights of Children in Scotland: Action Plan 2021 to 2024 and is accompanied by a [version for children and young people](#).