NGO alternative report
to the Committee on the Rights of the Child

Implementation of the
UN Convention on the Rights of the Child

SCOTLAND (UK)

together
Scottish Alliance for
Children's Rights
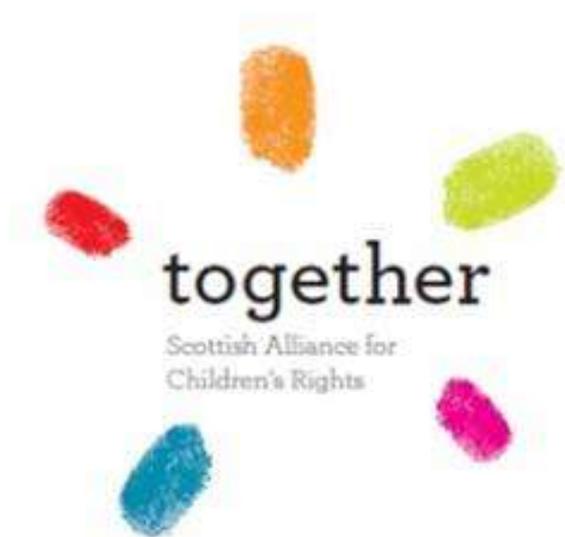
About Together

Together (Scottish Alliance for Children's Rights) seeks the full implementation of the UN Convention on the Rights of the Child (UNCRC) in Scotland.   With over 280 members throughout Scotland, our aims are to:

- Ensure our members are involved, consulted and influence our work to progress children's rights;

- Progress the implementation of children's rights at a local and national level through the provision of support and expertise;

- Provide robust monitoring of UNCRC implementation in Scotland;

- Be recognised by our membership and decision-makers as the informed voice that advocates for children's rights in Scotland.

Credits

Together (Scottish Alliance for Children's Rights)
Level 1, Rosebery House
9 Haymarket Terrace
Edinburgh
EH12 5EZ

www.togetherscotland.org.uk
Follow us at: @together_sacr
info@togetherscotland.org.uk
0131 337 9015

Charity registration no: SCO29403
Registered company no: SC199725

--- Page i ---
UK Implementation of the Convention on the Rights of the Child
NGO alternative report to the Committee on the Rights of the Child – SCOTLAND
Together (Scottish Alliance for Children's Rights)   July 2015

Supporting organisations

This report has been produced by Together (Scottish Alliance for Children's Rights). A large number of organisations and individuals have contributed to this report, bringing together a range of skills, knowledge and understanding of children's rights across Scotland. This has included over 140 people who attended our consultation seminars in Ayr, Inverness, Dundee and Dumfries, over 60 people who contributed as Expert Reviewers, and the very many organisations who submitted evidence to underpin the findings and recommendations in this report. This investment of time and resources by so many of Together's members demonstrates the strength of commitment to children and children's rights and the value placed on having progress scrutinised by the UN Committee.

This report embodies an overall consensus of opinion and may not necessarily represent in all respects or detail the views of every member of Together, nor every organisation that has contributed to this report. Views expressed separately by Together's members should also be taken into account. The following non-governmental organisations support and endorse this report.

Aberlour Childcare Trust	LGBT Youth Scotland
Action for Children	National Deaf Children's Society Scotland
Action for Sick Children Scotland	NSPCC Scotland
Advocacy Highland	One Parent Families Scotland
Barnardo's Scotland	Open Secret
Befriend a Child	PEACE Childcare Ltd
Befriending Networks	Planning Aid Scotland
BEMIS	Play Scotland
Boarding School Action	Quarriers
Capability Scotland	Queen's Nursing Institute Scotland
Carers Trust	Rape Crisis Scotland
Children 1st	respectme
Children in Scotland	Roshni
Children's Parliament	Royal College of Paediatrics and Child Health (RCPCH)
Clan Childlaw	Sailors Childrens Society
Contact a Family Scotland	Save the Children
Down's Syndrome Scotland	Scottish Childminding Association
Dyslexia Ayrshire	Scottish Out of School Care Network (SOSCN)
Early Years Scotland	Scottish Throughcare and Aftercare Forum
Eighteen And Under	Scottish Women's Aid
Enable Scotland	Scottish Youth Parliament
Families First St Andrews	Skye And Lochalsh Young Carer Service
Families Outside	Starcatchers
Family Fund	TACT Fostering Scotland
for Scotland's Disabled Children (fSDC)	The Fostering Network Scotland
Girlguiding Scotland	UNICEF UK
Highland Children's Forum	Victim Support Scotland
Human Rights Consortium Scotland (HRCS)	WAVE Trust
Includem	Waverley Care
Inclusion Scotland	West Lothian Young Carers Project
Inverness Women's Aid	Who Cares? Scotland
Keys to Inclusion	Young Scot
Legal Services Agency at Brown & Co., Solicitors	YouthLink Scotland

In addition, many organisations and individuals working in statutory settings have endorsed this report, including Centre for Excellence for Looked After Children in Scotland (CELCIS), Centre for Youth and Criminal Justice (CYCJ), Kingcase Primary School and WithScotland.

Contents

UK Implementation of the Convention on the Rights of the Child
NGO alternative report to the Committee on the Rights of the Child – SCOTLAND
Together (Scottish Alliance for Children's Rights)   July 2015

UK Implementation of the Convention on the Rights of the Child
NGO alternative report to the Committee on the Rights of the Child – SCOTLAND
Together (Scottish Alliance for Children's Rights)   July 2015

Glossary of Terms

ASBO – Antisocial Behaviour Order

ASN – Additional Support Needs

CAMHS – Child and Adolescent Mental Health Services

Child/Children – refers to all children and young people under the age of 18 unless otherwise stated

CELCIS - Centre for Excellence for Looked After Children in Scotland

Children's organisations – refers to non-governmental organisations unless otherwise stated

CoSLA – Convention of Scottish Local Authorities

CRIA – Child Rights Impact Assessment

ECHR – European Convention on Human Rights

EYC – Early Years Collaborative

FNP – Family Nurse Partnership programme

GIRFEC – Getting It Right for Every Child

LGBT – Lesbian, gay, bisexual and transgender

LGBTI – Lesbian, gay, bisexual, transgender and intersex

JCHR – Joint Committee for Human Rights

MSP – Member of the Scottish Parliament

NGOs – Non Governmental Organisations

PSE - Personal and Social Education

RCN – Royal College of Nursing

RSHPE - Relationships, Sexual Health and Parenthood Education

SCCYP – Scotland's Commissioner for Children and Young People

SCRIMG – Scottish Children's Rights Implementation Monitoring Group

SHRC - Scottish Human Rights Commission

SCRA – Scottish Children's Reporter Administration

SGS – Scottish Guardianship Service

SHANARRI – Safe, Healthy, Achieving, Nurtured, Active, Respected, Responsible, Included.[1]

SNAP – Scotland's National Action Plan for Human Rights

UNCRC – UN Convention on the Rights of the Child

UNCRPD – UN Convention on the Rights of Persons with a Disability

WSA - Whole System Approach

Introduction

This report has been compiled by Together (Scottish Alliance for Children's Rights) and endorsed by 66 NGOs as the alternative report to the UN Committee on the Rights of the Child for Scotland (as part of the United Kingdom). It examines the progress made since 2008 to further the UNCRC and take forward the UN Committee's Concluding Observations. The report provides commentary and scrutiny of the UK Periodic Report submitted in May 2014 and examines the Scottish Government report to the UK, submitted in July 2013.

Particular effort has been made to draw from research that evidences children's views and experiences of the UNCRC, where available. Further information can be drawn from the endnotes which contain a vast range of evidence to underpin our commentary.

We make 109 recommendations for improvements in the implementation of the UNCRC in Scotland. Responsibility for taking these recommendations forward lies across UK and Scottish Government, as well as local government and public bodies.

Devolution

It is essential that the context of devolution is taken into account when assessing UK implementation of the UNCRC. Whilst part of the UK, Scotland has a very different policy and legislative landscape and has considerable devolved powers over issues that affect the fulfilment of children's rights. For example, Scotland's education system, legal and justice system, NHS and local government are fundamentally distinct from the rest of the UK. Although Scottish Government has legislative responsibility over these devolved matters, reserved decisions made by UK Government on matters such as benefits and social security, immigration and employment can still have a profound effect. The interaction between reserved and devolved powers significantly impacts on the implementation of the UNCRC in Scotland and across the devolved nations. As such, a gap exists in the scrutiny of the UK's UNCRC compliance. The UK Periodic Report fails to adequately reflect the differences in legislation and policy between Scotland and the other nations across the UK, and the impact this has on children's experiences of their rights. We recommend that officials from Scotland and other devolved nations are included in the delegation to the UN Committee as part of the UK review.

Overview

Progress

Since 2008, there have been significant and welcome legislative and policy developments in relation to children's rights. This includes the *Children and Young People (Scotland) Act (CYP Act)* which places the UNCRC on statute for the first time, albeit falling far short of the UN Committee's recommendation of full incorporation into law. Strategies and action plans have been introduced on issues including UNCRC implementation, child poverty, health inequalities, play, parenting, young carers, domestic violence, mental health, anti-bullying, sport and youth work. Scottish Government has worked closely with civil society to develop and take forward a National Action Plan on Human Rights. For the first time, the voting franchise was extended to include 16 and 17 year-olds for the 2014 Scottish Independence Referendum and there has been an unprecedented increase in the level

of political engagement among children. The powers of Scotland's Commissioner for Children and Young People have been enhanced to enable individual children to ask the Commissioner to investigate the extent to which their rights have been upheld. At a UK level, we welcome the removal of the final two reservations to the UNCRC in 2008, relating to immigration and children in custody with adults, the ratification of the UN Convention on the Rights on Persons with Disabilities (UNCRPD) in 2009, and the ratification of the Optional Protocol to the UNCRC on the Sale of Children, Child Prostitution and Child Pornography in 2009.

Concerns

Despite such areas of progress, we outline significant issues that are undermining many of the steps taken to further children's rights at a legislative, policy and practice level in Scotland. There is real concern regarding UK Government's plans to repeal the Human Rights Act, the only mechanism through which children can seek legal redress for a number of their rights. We welcome Scottish Government's strong opposition to any attempt to repeal or undermine the human rights protections provided by the Human Rights Act. The differing positions between UK and Scottish Governments highlight one of the many complexities of devolution.

There is overwhelming evidence in this report that children, particularly the most vulnerable, have been disproportionately affected by UK Government's policy of austerity. Children's right to an adequate standard of living is being seriously affected as a result of welfare reform. Benefits sanctions are discriminating against families including children from particular groups, such as children with a disability, children in single parent families and children in larger families. There has been an overwhelming increase in the number of children being forced to access food banks. Cuts in legal aid have resulted in children being unable to access justice. Socio-economic inequality is seriously affecting children's attainment in school.

We reflect on key issues where no progress has been made to take forward the UN Committee's 2008 Concluding Observations: Children still do not have the same protection from violence in law as adults. The age of criminal responsibility is still 8 years-old, one of the lowest in Europe. The UNCRC has still not been fully incorporated into Scots law and children remain largely unable to seek redress if their rights are violated. This report also highlights a number of new children's rights concerns that have emerged since the UK's last report to the UN Committee. These include the difficulties children face in accessing legal aid, the disproportionate use of *"stop and search"* on children, the impact that Counter Terrorism measures are having on minority ethnic children and the importance of protecting children's right to privacy and access to confidential services.

Recommendations

As well as addressing the UN Committee's outstanding Concluding Observations, we make a number of additional recommendations that should be taken to implement the UNCRC and ensure real-life improvements are made to children's experience of their rights.

We call on UK Government to commit to making the elimination of child poverty a national priority and to develop, fund and implement an annual plan to reduce the number of children in poverty for the next 5 years. We call on UK and Scottish Governments to work together to tackle health and educational inequalities through a coordinated approach across government departments, and in response to children's views.

--- Page vii ---
UK Implementation of the Convention on the Rights of the Child
NGO alternative report to the Committee on the Rights of the Child – SCOTLAND
Together (Scottish Alliance for Children's Rights)   July 2015

We welcome the moves taken by Scottish Government to minimise the effects of UK austerity policies, but we are clear that more could be done. There is a need to take forward, monitor and evaluate Scotland's child poverty strategy effectively; to ensure funding for mental health is sustained and focused on children (particularly those who are most at risk); to adequately fund health visiting services on a sustainable basis; to assess the impact of spending decisions on children; to focus resources on ensuring vulnerable groups have access to safe and inclusive play and to commit sufficient and sustainable funding for a Prison Visitors' Centre in every prison.

Our report outlines some of the structural measures that are required to embed the UNCRC into the culture, policy and practice of all those working with and for children. These include carrying out child rights impact assessments as a matter of routine, ensuring that decisions on resource allocation prioritise the rights of children and raising greater awareness and understanding of the UNCRC. The development of guidance for the Children and Young People (Scotland) Act provides a key opportunity to develop a clear strategy and implementation plan through which these measures can be taken forward.

Greater emphasis is needed on monitoring and evaluating the impact that legislative and policy developments are having on children's ability to realise their rights, and for children to be empowered to meaningfully participate in this. Consistent and robust data collection is required in many areas, to establish the numbers of disabled children, children affected by imprisonment, and destitute asylum seekers and migrants. We highlight the importance of combining data collection with improved research and evaluation, in order to promote evidence-based approaches to issues such as tackling the educational attainment gap and informing professional development. The impact that austerity is having on the provision of services should be assessed and scrutinised through a national mapping of specific services, such as speech and language therapy, classroom assistants and educational psychologists.

We strongly recommend that a greater commitment is made to ensure that children are listened to and have their views taken into account in decisions that affect them. This should include purposeful, participatory opportunities for all children in all areas of their lives, including within school and community settings. Disabled children need to be involved in decisions at all levels, from planning for transitions through to having their views taken into account in the development of government strategies and policies. Further efforts are required to ensure looked after children are fully and meaningfully involved in all decisions affecting them, including around their care and in preparation for aftercare. We highlight the importance of high quality independent advocacy to support the involvement of all children in decisions that affect them, particularly vulnerable children.

There are real opportunities ahead to address many of the recommendations in this report and to increase the protection of children's rights in Scotland. To bring about real change for every child, this needs to be supported by a genuine commitment to children's human rights by UK and Scottish governments, and an end to the austerity policies that disproportionately affect children.

General measures of implementation

Domestic legislation in line with UNCRC (Article 4)

Incorporation

Scottish Government states a commitment to reflect the principles and provisions of the UNCRC in domestic law where it believes such a step represents the best way to support the effective realisation of children's rights.[2] The introduction of the *Children and Young People (Scotland) Act (CYP Act)* resulted in a great deal of debate and discussion around the merits of giving the UNCRC more force in Scots law. Strong support for the incorporation of the UNCRC into Scots law was expressed by children of many ages.[3] Despite this, Scottish Government has repeatedly and explicitly stated that it does not intend to incorporate the UNCRC into Scots law.[4] [5]

The Joint Committee on Human Rights (JCHR) has concluded that the UNCRC should be incorporated into UK law in the same way that the European Convention on Human Rights (ECHR) has been incorporated by means of the Human Rights Act.[6] A recent UK Supreme Court decision has highlighted the need for incorporation,[7] finding that a *"cap"* placed on the level of benefits paid to families is in violation of Article 3 UNCRC. However, without UNCRC incorporation, the *"benefit cap"*[8] is not unlawful in domestic law so there was no legal remedy that the Court could prescribe.

Recommendation 1.	***UK and Scottish Governments should fully incorporate the UNCRC and its protocols into domestic legislation.***

Optional Protocol 3

UK Government has not signed the Optional Protocol on a Communication Procedure,[9] stating that the UK has effective laws under which individuals may seek enforceable remedies in the courts if their rights have been breached.[10] However, the failure to incorporate the UNCRC into a domestic law means that it cannot be relied on directly in the courts. The importance of giving children the right of individual petition to the UN Committee through the ratification of the Optional Protocol has been highlighted by the JCHR.[11]

Recommendation 2.	***UK Government should sign and ratify the Third Optional Protocol to the UNCRC on a Communications Procedure with immediate effect.***

Human Rights Act

Whilst UK Government has undertaken a detailed analysis of how the rights and obligations set out in each of the Articles in the UNCRC are protected by legislation and case law[12], this specifically relates to how legislation underpins implementation in England. Little account is made of the impact UK Government has on children in Scotland in relation to reserved issues, such as benefits and social security, immigration and employment. The analysis relies strongly on the ECHR rights incorporated into domestic law through the Human Rights Act, which UK Government now plans to repeal. [13] The JCHR has recognised the complexities of devolution and its associated impact on human rights

protections and has called for a UK-wide examination of the impacts of devolution on the protection and promotion of human rights.[14]

Recommendation 3.	*A UK-wide examination of the impact of devolution on the protection and promotion of human rights should be undertaken.*

In the absence of the incorporation of the UNCRC into domestic law, the Human Rights Act provides the only mechanism through which children can seek redress for breaches of their human rights (albeit ECHR rights rather than UNCRC). Scottish Government's approach to human rights is distinct from that of UK Government and it is clear in its opposition to any attempt to repeal the Human Rights Act.[15]

Recommendation 4.	*UK Government should ensure that the devolved nations are fully involved and consulted in any proposed changes to UK-wide human rights legislation and there should be no lessening of protection of children's rights in law.*

Children and Young People (Scotland) Act

The *Children and Young People (Scotland) Act* 2014 *(CYP Act)*, was passed by the Scottish Parliament in February 2014.[16] It places a number of new duties on Scottish Ministers to strengthen the approach taken to the implementation of the UNCRC (including promoting awareness and understanding). It also introduces new reporting requirements designed to support increased scrutiny of the public sector's approach to implementation.[17] [18]

Consultation with children on the *CYP Act* proposals found that children had mixed feelings over how public bodies were monitoring and reporting on children's services and whether Scottish Government should be required by law to make sure children are aware of their rights.[19] Consultation with 9-12 year olds indicated the importance for them that Scottish Government understands more about children's lives and what it means for them to have their rights.[20]

Scottish Government states that it recognises the importance of its decisions that impact on children's rights being *"transparent and accountable"* and that it hopes to deliver this through the *CYP Act*.[21] Guidance for local implementation of the *CYP Act* should be developed using a rights-based approach and be underpinned by children's rights.[22] [23]

Recommendation 5.	*Scottish Government should ensure steps to reflect the UNCRC in legislation are embedded into the culture, policy and practice of all those working with and for children. The extent to which provisions relating to the UNCRC make a meaningful difference to children's experiences of their rights should be monitored and evaluated on an ongoing basis.*

Child Rights Impact Assessment

The UK Periodic Report states that child rights impact assessments are undertaken for key proposals impacting on children.[24] Despite a commitment from Scottish Government to consider the use of child rights impact assessments,[25] the model has only just been launched and it is too early to be able to assess what influence the assessments will have on governmental decision-making. It is

unclear whether or not there will be a comprehensive training programme to accompany its introduction. Despite assertions made to the contrary in the UK Periodic Report[26], there is no routine assessment of the compatibility of UK or Scottish Government legislation with the UNCRC and no transparency to children or wider civil society as to how legislation is judged to be compatible with the UNCRC.

Recommendation 6.	*UK and Scottish Governments should be required by legislation to carry out child rights impact assessments as a matter of routine. Impact assessments should be made accessible and understandable to enable scrutiny by civil society and children.*

Allocation of resources

The way in which budgets are currently constructed in Scotland makes it very difficult to identify what is actually spent on children – at national and local level – and also on particular groups of vulnerable or disadvantaged children.[27] [28] The vast majority of funding for children's services at a local level is provided for by a block grant from national to local government. An agreement between Scottish and local government allows local authorities to allocate financial resources on the basis of local needs and priorities once it has fulfilled statutory obligations, including the set of national and local priorities agreed with Scottish Government.[29] From July 2013 local authorities have had to demonstrate how the total resources available have been deployed in support of the agreed outcomes.[30] It remains unclear as to what level of resources are specifically allocated to children and children's services which prevents the effective monitoring of child rights budgeting.[31] We fundamentally disagree with the assertion made in the UK Periodic Report that UK Government's *"rigorous approach"* to austerity will *"help to protect children's rights in the future"*.[32] There is much evidence to show that children are the group most likely to experience the impact of welfare reform.[33] Scottish Government has conducted welcome research into the impact of welfare reform, although this does not specifically explore the experiences of children.[34]

Recommendation 7.	*UK and Scottish Government should ensure all local and national decisions on resource allocation are carried out so as to prioritise the rights of children. Particular attention must be given to children living in poverty or at risk of social exclusion.*

Access to justice

Austerity policies being enacted by UK Government directly affect Scottish Government's ability to fund welfare and public services: It has been estimated that since 2009/10, Scotland's budget has been cut by £3 billion.[35] The impact is cuts to available resources to support services such as legal aid, which can leave children in a position of being unable to claim essential rights or services, seek redress for rights violations, or ensure that their rights are protected in criminal justice or other judicial or administrative processes. UK Government's reforms to legal aid in England and Wales have been described by the JCHR as a *"significant black mark on its human rights record."*[36]

A lack of access to legal aid and assistance for children is an area of considerable concern, particularly relating to care leavers and those who are looked after,[37] alongside migrant children.[38]

--- Page 3 ---
UK Implementation of the Convention on the Rights of the Child
NGO alternative report to the Committee on the Rights of the Child – SCOTLAND
Together (Scottish Alliance for Children's Rights)   July 2015

In January 2011, regulations were amended to change the way that a child is assessed for civil and legal assistance.[39] Children are now unlikely to be able to qualify for assistance without the knowledge of their parents or carers.[40] This adds an additional substantial barrier for children in accessing justice, on top of challenges such as a lack of accessible information of how to seek justice, concerns of not being taken seriously and facing complex laws and legal systems designed for adults. Since the change, the number of children applying for legal aid has fallen considerably.[41]

Recommendation 8.	*Scottish Government should ensure all children have access to confidential and independent legal aid and assistance. This should include funding for specialist services for vulnerable children, including migrant and looked after children.*

Children's Commissioner

Scotland's Commissioner for Children and Young People (SCCYP) plays an essential role in supporting the implementation of the UNCRC. Since 2008, work undertaken by SCCYP has improved children's understanding and awareness of his work.[42] The Commissioner can currently carry out an investigation where a particular group of children (such as those attending the same school) or a broader group of children (such as all of those with disabilities) report that their rights aren't being respected.[43] The Commissioner is able to investigate the extent to which a service provider has regard to the rights, interests and views of children although, to date, this power has not been used.

Part 2 of the *CYP Act*[44] introduces an individual investigations function to the role of the Commissioner which is due to commence in 2016. This function is a limited mechanism through which children, their parents and other adults who support them can ask the Commissioner to investigate the extent to which an individual child's rights have been upheld (unless another complaints/investigatory mechanism has a proper function to do so).[45] The Commissioner will be able to make recommendations but will not have the power to order a service provider to take action. The new function is supported by children, with some stressing the importance of a meaningful form of redress.[46] It will necessitate the setting up of a casework service capable of dealing with a significant number of complaints. Although only a small number are likely to turn into larger scale investigations, it is important to note that all of these cases will provide a vital new insight into rights issues facing children in Scotland.

Recommendation 9.	*Scotland's Commissioner for Children and Young People should have adequate human and financial resources and capacity to carry out the mandate of the office, and ensure the rights of all children in Scotland are respected, protected and fulfilled.*

UNCRC reporting (Article 44)

The UK Periodic Report notes that there are regular meetings between officials in the four jurisdictions to share progress and ideas about UNCRC implementation.[47] However, the extent to which Scotland is involved in reporting – and held to scrutiny at a UN level – can be patchy and is dependent on the will to involve the devolved nations at a UK level. As a result, the UK Periodic Report fails to adequately reflect the differences in legislation and policy between Scotland and other nations across the UK and the impact this has on children's experiences of their UNCRC rights.

For example, the UK Periodic Report refers to consultation with children by the Department for Education, the Department for Transport and an independent Children and Young People's Health Outcomes Forum.[48] These developments were referred to as national developments, however do not reflect the experience of children living in Scotland as education, transport and health are all devolved matters.[49]

Recommendation 10.	***UK and Scottish Governments should put in place a formal mechanism that ensures Scotland and the devolved nations are routinely and comprehensively involved in UNCRC reporting. This should be established with the involvement of governments, national human rights institutions and civil society and should ensure clear representation of distinct Scottish and other devolved issues within the UK Periodic Report.***
Recommendation 11.	***Representatives from Scotland and the other devolved nations should be included in delegations to the UN as a matter of routine.***

Action Plan

We welcome Scottish Government's 2009 action plan, *Do the Right Thing*[50] which set out priorities for implementing the UNCRC in response to the UN Committee's 2008 Concluding Observations.[51] There was concern about the lack of specificity in both the 2009 action plan and subsequent progress report.[52] [53]

We welcome that Scottish Government made all publications relating to the 2007-08 UNCRC reporting process widely available, including dedicated versions for children. However, there was no evaluation as to how the documents were received by children. The low level of knowledge and understanding of the UNCRC suggests that national promotion of publications and activities could be delivered more effectively.[54] Children feel they have little direct involvement in the implementation and monitoring of the UNCRC.[55] There is disappointment that Scottish Government did not take a strategic approach to involving children in the 2015-16 UNCRC reporting process.

Recommendation 12.	***UK and Scottish Government should put in place action plans to support UNCRC implementation that are informed by the views and experiences of children and contain clear, resourced and time-specific actions alongside a clear and robust monitoring framework.***

Dissemination, training and awareness-raising (Article 42)

There have been some improvements in raising awareness and understanding of the UNCRC amongst those working with children and among children themselves[56] although this could be significantly improved.[57] The UK Periodic Report outlines some of the welcome steps taken by Scottish Government to increase awareness and understanding of the UNCRC.[58] However, there has been little impact to date on levels of awareness and understanding among either children or adults.[59] Children feel strongly that they need to learn more about the UNCRC and how it affects their lives.[60]

Despite the welcome publication of the *Common Core of Skills, Understanding, Knowledge and Value for the Children's Workforce*,[61] no action has been taken to promote or take forward its implementation. For the new *CYP Act* awareness-raising duty to achieve its purpose, Scottish Government needs to develop a comprehensive strategy that includes the development of age and stage appropriate educational resources and learning through the school curriculum. It will also need to include further awareness-raising and competence-building measures, such as ongoing, high-quality training and development programmes for Scottish Government staff, those working for public bodies and other relevant groups of professionals.[62]

Recommendation 13.	***Scottish Government should prepare a comprehensive strategy that encompasses and coordinates activities undertaken to ensure that all of the provisions of the UNCRC are widely known and understood by adults and children, across government, local authorities, public bodies, businesses and at a local community level.***

Cooperation with civil society

We strongly endorse the commitment shown by Scottish Government to cooperate with civil society in order to promote the implementation of its human rights obligations. In close collaboration with the Scottish Human Rights Commission (SHRC), Scottish Government has played a key role in the development and implementation of Scotland's National Action Plan (SNAP) for Human Rights, the first action plan for human rights in any jurisdiction of the UK. SNAP commits Scottish Government, public bodies and civil society to take action towards the realisation of international human rights, including children's rights and has been widely welcomed by children's organisations. Scottish Government provides funding to Together (Scottish Alliance for Children's Rights), to support the monitoring of UNCRC implementation[63] and is held to account on its UNCRC implementation by the Children's Commissioner and Together through Scottish's Children's Rights Implementation Monitoring Group (SCRIMG).[64] Whilst some progress has been made, a need has been identified to put in place more robust, high-level accountability on steps taken across government to implement the UNCRC and support Ministers in taking forward their new duties enshrined in the *CYP Act.*

Recommendation 14.	***Scottish Ministers should be supported and held to account on UNCRC implementation through the Scottish Children's Rights Monitoring Group.***

General Principles

Protecting children from discrimination (Article 2)

Children continue to face discrimination in law and practice. The *Equality Act 2010*[65] aims to provide a single, clear legal framework to tackle disadvantage and discrimination yet specifically excludes children from some of its provisions.[66] The impact is that discrimination against children is institutionalised in relation to issues such as unequal wages and benefits.[67] A strength of Scottish hate crime legislation[68] is that it provides protection based on identification, association and perception.

Gender stereotypes are still commonplace. [69] They can perpetuate inequality, reinforce sexism and expose young people who do not meet stereotypical expectations to homophobia, biphobia and transphobia. This can affect many aspects of life such as educational and occupational choice, income, self-esteem and self-belief.[70] Research with children reiterates the recognised link[71] between stereotyping and violence against women and girls.[72]

Clear examples of how perceptions and stereotypes lead to discrimination are those of LGBT young people, Gypsy/Traveller children, children affected by HIV,[73] minority ethnic children and disabled children. LGBT young people report that they are particularly affected by hate crime[74] and feel that homophobia, biphobia, and transphobia are still problems in their local areas and across Scotland.[75]

An increase in the negative and victimised reporting of Gypsy/Travellers in mainstream media has been a driving force behind their continued discrimination.[76] Online media publishes a disproportionate number of articles about Gypsy/Travellers, of which nearly two-thirds is of an overwhelmingly negative tone.[77] Negative reporting has led to feelings of marginalisation and stigma[78] and young Gypsy/Travellers have identified experiencing high levels of discrimination.[79] [80] [81]

Research shows that minority ethnic children do not feel that discrimination is endemic or institutional.[82] However, many feel it is common to experience or witness episodes of discrimination along ethnic or religious lines and that some instances of discrimination may result from underlying Islamophobia. Many children have witnessed anti-Muslim sentiment both online and offline, with negative media portrayals commonly cited as the main cause. Many also reported an awareness or experience of incidents of bullying at school along religious or cultural lines.[83]

Disabled children also experience discrimination both in the media and in terms of public attitudes. A comparison of disability reporting in the UK press from 2004-5 to 2010-11[84] noted a one-third increase in negative reports of disability, alongside *"increased politicisation of media coverage"* and a reduction in reports sympathetic to disabled people. Disability hate crime has risen by 20% over the last year. Disabled children experience harassment and hate crime as bullying and are at twice the risk of being subjected to long term bullying at school than non-disabled children.[85]

> ***Recommendation 15.***   ***UK and Scottish Governments should ensure children have equal legislative protection from age discrimination. Further steps should be taken to combat gender stereotypes and address discrimination experienced by particular groups of children, including disabled children, minority ethnic children, Gypsy/Traveller children, children affected by HIV and LGBT young people.***

Promoting the best interests of the child (Article 3)

The best interests principle is included in a patchwork of legislation. The *Family Law (Scotland) Act 2006*[86] ensures that the best interests of children are protected, whatever form their families take. The *Adoption and Children (Scotland) Act 2007*[87] provides that a court must decide that adoption is in the best interests of the child concerned and that the best interests of the child must be the paramount consideration in the adoption process. The *Children's Hearings (Scotland) Act 2011*[88] requires children's hearings, pre-hearings panels and the courts in proceedings relating to children's hearings to treat the child's welfare as a paramount consideration. Section 42 of the *Criminal Justice (Scotland) Bill* has a policy intention of placing a duty on constables to consider the best interests of the child when holding, arresting, interviewing or charging a child.[89] The Scottish Parliament's Education and Culture Committee requested that Scottish Government respond to calls to include specific provisions relating to Article 3 in the *CYP Act*.[90] However, subsequent amendments[91] endorsed by NGOs and the Children's Commissioner were not supported by Scottish Government and were ultimately rejected by the Scottish Parliament.[92]

Recommendation 16.	*The best interests of the child should be a primary consideration in all legislative and judicial decisions concerning children, except where a higher standard already applies.*

Right to life, survival and development (Article 6)

Mortality of children in Scotland has improved more than in the UK overall, although both are worse than some European countries, particularly in Scandinavia. Mortality rates are higher among children born into lower wealth quintiles and in boys in all age groups, particularly 15 to 19 year olds. The most common causes of mortality among 10 to 18 year olds are preventable or amenable to healthcare intervention, particularly those related to mental health conditions.[93] However, there has been no reduction in these rates for more than 30 years.[94]

Recommendation 17.	*Scottish Government should address the most common causes of mortality in children and undertake measures to reduce them.*

Scottish Government does not require automatic reviews of child deaths or significant incidents. An audit and analysis found that almost one fifth of significant case reviews conducted for children who die or are seriously injured were conducted for children who were looked after or formerly looked after.[95] There are reportedly anomalies in the reporting of deaths of looked after children and care leavers.[96]

Recommendation 18.	*Scottish Government should create a centralised database of significant case reviews of looked after children and care leavers to analyse trends and provide an evidence base through which to influence policy and practice.*

Respect for the views of the child (Article 12)

There has been some progress in relation to the promotion and implementation of Article 12 through a combination of legislative and policy developments. Scottish Government has taken steps to involve children in the development of policy.[97] [98] Children with experience of the care system have led a successful campaign which succeeded in increasing the care leaving age for young people and widening the eligibility criteria to Aftercare services.[99] The annual national Young Carers Festival provides an example of meaningful consultation with a vulnerable group.[100] Partnership work between the Scottish Youth Parliament, Scottish Government and other organisations has led to discussion days with young people in relation to specific proposals including the Commission for Developing Scotland's Young Workforce, proposals for carers' legislation, and the refresh of the Youth Employment Strategy.

The *CYP Act* has introduced a provision to take account of the views of children when making decisions that may affect them.[101] However, this provision is weak[102] and gives Ministers discretion as to what views they consider to be *"appropriate"* and *"relevant"*. Furthermore, Scottish Government has stated that will only be producing an *"implementation plan"* for *"the internal use of Scottish Ministers"* rather than a strategy or guidance to accompany the duty.[103] There are concerns that this could result in the duty being carried out in a piecemeal and ad-hoc basis that will not result in a coherent and robust approach to implementing Article 12 in practice.[104]

Surveys conducted with minority ethnic children revealed that there is a perception that politicians do not generally seek their views on policies that affect them, nor are these issues addressed by politicians in the speeches they make or the policies they pursue.[105] Concerns remain that many other vulnerable children do not have the opportunity to have their voices and experiences heard in the development of policy. This is a particular issue for disabled children,[106] [107]minority ethnic children and Gypsy/Traveller children.[108]

Recommendation 19.	***Scottish Government should put in place a clear strategy and implementation plan, informed by the views of children, to ensure that their voices are considered and taken into account in the development of policy that affects them in a coherent and systematic manner.***

Civil rights and freedoms

Freedom of thought, conscience and religion (Article 14)

Counter-terrorism

There is strong concern that Muslims are facing increasing stigmatisation and are being treated as a *"suspect community"* as a direct result of the UK-wide counter-terrorism laws and policies.[109] [110] [111] Young Muslims have raised concerns about targeting of the Muslim community at large through the implementation of UK Government's *Prevent Strategy*.[112] [113] UK-wide research describes the *Prevent Strategy* as an *"unnecessary intrusion into the religious and political beliefs of Muslims"* which *"encourages discrimination and erodes fundamental rights."*[114] An absence of information regarding the work of the Scottish Preventing Violent Extremism Unit and the CONTEST Prevent Sub-groups (the bodies with responsibility for directing the implementation of *Prevent* in Scotland)[115] may indicate a lack of transparency in both design and implementation.[116] The UK Periodic Report does not comment on the impact of the counter-terrorism strategy on the rights of children, as it is rolled out in Scotland.[117]

Recommendation 20.	*UK and Scottish Government should assess measures taken to counter terrorism in terms of their impact on children's rights. Measures should be developed in collaboration with those children most likely to be affected and be monitored, evaluated and reviewed on an ongoing basis.*

Voting

Children and children's organisations have welcomed the extension of the voting franchise to include 16 and 17 year-olds in the Scottish Independence Referendum, and more recently in Scottish General Elections.[118] [119] Minority ethnic young people were generally positive about their experience of voting. However, discussions with minority ethnic young people show that participation in any form of organised politics, activism or advocacy is extremely low and suggest that additional barriers to participation persist.[120] There have been increasing efforts to promote political literacy in schools[121] and it is important that this momentum is maintained. Lowering the voting age could have positive impacts on meaningful political engagement, if certain structural provisions, mainly through schools, can be established.[122]

Recommendation 21.	*16 and 17 year olds should be given the right to vote in all elections and referenda in the UK.*
Recommendation 22.	*The Scottish and UK governments should further harness and encourage the political engagement of children. This should include encouraging democratic engagement in schools and other community learning settings, and ensuring the involvement of more vulnerable and isolated groups of children.*

Freedom of peaceful assembly (Article 15)

Children report feeling significantly restricted and disempowered by dispersal powers, including orders which disperse groups of two or more from designated public spaces.[123] A fear of violence and being frightened to go out has risen among 11-16 year olds[124] and LGBT young people have particular concerns regarding their safety in public places.[125] Scottish Government acknowledges that mosquito devices can prevent children from enjoying freedom of movement and peaceful assembly[126] and does not support their use.[127] There have been strong calls from children and from the Scottish Parliament's Public Petitions Committee to ban the devices.[128] [129] However, steps have not been taken to prohibit them as Scottish Government does not believe that their use is widespread.[130]

Recommendation 23.	*Scottish Government should ban the use of mosquito devices immediately.*

Antisocial Behaviour Orders

A Concluding Observation calling for an independent review of the application of Antisocial Behaviour Orders (ASBOs) on children during the last UK examination, strongly supported by children's organisations,[131] has not been taken forward. Children see punitive tools, such as ASBOs as an ineffective deterrent,[132] and instead would like to be able to talk and interact with police in non-punitive ways.[133]

Recommendation 24.	*Scottish Government should undertake an independent review on the use of ASBOs on children and consider their replacement with non-punitive measures.*
Recommendation 25.	*Scottish Government should collate statistics on the application of ASBOs centrally.*

Stop and search

Children are subject to excessive levels of stop and search in some areas of Scotland. Searches carried out on children are based on a lower standard of suspicion than searches on older age groups.[134] [135] [136] Those aged 15-19 years are significantly more likely to be stopped and searched[137], with 223 searches recorded on children aged 9 or under between April and December in 2013.[138] In 2014/15, 75% of stop searches recorded on fourteen year olds were non-statutory, indicating that young people have less access to procedural protection than older age groups.[139]

Children have raised concerns over the extent of the use of stop and search, the lack of awareness of the right to refuse and the implications for refusal[140] (particularly for children with learning disabilities who may give consent without fully understanding their rights or what is happening),[141] the potential for alienating children and the lack of clear links to outcomes.[142] [143] In June 2014, Police Scotland announced an immediate end to the practice of non-statutory stop searches on children under the age of 12.[144] [145] Yet a recent HMICS audit reported that Police Scotland conducted 83 non-statutory searches of children aged 11 or under between 23 June to 31 December 2014.[146] SHRC has stated that the use of non-statutory stop and search raises questions in relation to legality and should be abolished with immediate effect.[147] [148]

Recommendation 26.	*Scottish Government should legislate to abolish the use of non-statutory stop and search for all children.*
Recommendation 27.	*Statutory stop and searches should be used as a last resort rather than a routine tactic, and be effectively regulated within a strengthened legal framework.*
Recommendation 28.	*Scottish Government should ensure that the use of stop and search on children is proportionate to the age-distribution of related offending.*
Recommendation 29.	*Police Scotland and the Scottish Police Authority should take steps to improve accountability and transparency for stop and search, and ensure that detailed statistics, disaggregated by age (and other key factors), are made openly available. These statistics should be accredited by the UK Statistics Authority.*

Protection of privacy (Article 16)

Information sharing

The right to privacy and to confidential space is important to children.[149] Concerns have been raised around provisions within the *CYP Act* and corresponding guidance that widen the threshold at which information about children is shared.[150] The policy intention behind the provisions is to ensure concerns are raised about child wellbeing so as to facilitate early intervention and prevent more significant need arising.[151] Scottish Government states these provisions promote engagement with the child and emphasise the need to obtain consent to the sharing of information where possible.[152] A number of NGOs believe these provisions may violate children's right to privacy and result in children being less likely to access confidential services and share information.[153][154][155][156] Children have raised concerns that over-sharing of information can lead to a violation of their right to privacy,[157] particularly in relation to advocacy and health.[158] Many have questions around the information held about them by various services and what control they had over information being shared.[159][160]

Recommendation 30.	*Scottish Government should review and evidence how information sharing legislation and practice complies with Article 16 UNCRC and Article 8 ECHR and develop clear guidance and training on the circumstances in which information should be shared.*
Recommendation 31.	*Systems should be put in place at a local level to ensure children's information is processed securely, accurately and in the best interests of the child.*

Online safety

Online safety is an emerging children's rights issue.[161] [162] Children value their online privacy and identify that technology is a constant part of their lives.[163] While they understand issues around online security, they state that safety messages are often ignored.[164] Children want to learn how to use technology safely but can be reluctant when they experience it negatively (such as cyberbullying) and when adults focus on the risks (such as being approached by strangers).[165]

Recommendation 32.	*Scottish Government should ensure all children are better informed about their right to online safety and privacy, and how to stay safe online.*

Violence, abuse and neglect (Article 19, Article 37(a))

Equal protection from violence

Despite recommendations during the last UK examination and international calls[166] to prohibit all forms of corporal punishment, children continue to have less protection from violence than adults. Key opportunities have been missed to give children equal protection[167] and the provision of *"justifiable assault"*[168] remains in Scots law. This permits a defence for parents if they physically assault a child. A survey of 1021 adults found that 60% thought that children should have more protection from assault than adults, and 32% thought that children and adults should have the same amount of protection from assault.[169] There is limited evidence on children's views relating to physical punishment.[170] Scottish Government has no intention to change the law, stating that it *"does not support smacking as a way of disciplining children but does not consider it appropriate to criminalise parents for lightly smacking their children."*[171] However, the provision of a new criminal offence is not required but rather a simple legal reform to remove the defence of *"justifiable assault"* in law.[172]

Recommendation 33.	*Scottish Government should ensure children have the same protection as adults from violence by repealing the defence of "justifiable assault" with immediate effect.*
Recommendation 34.	*Positive parenting approaches to discipline should be promoted, alongside professional training in positive childrearing.*

Restraint

Guidance is in place for residential settings to reflect that restraint should only be used as a last resort and never as a form of punishment.[173] Services are not currently legally obliged to record physical restraint in a standard format.[174] The Care Commission has found that improvements are necessary in methods of physical restraint within 22% of care homes, 16% of residential special schools and 40% of secure accommodation services.[175] There have been calls by the Centre for Excellence for Looked After Children in Scotland (CELCIS) to further protect and safeguard children in care.[176] Parents have raised concerns about the inappropriate use of restrictive interventions such as seclusion and physical restraint and techniques in schools.[177] There is no national guidance on the appropriate use of restrictive interventions specifically in (non-residential) education settings, and

no national inspection agency that monitors this. Disability organisations have called for this situation to be remedied as a matter of urgency, ensuring that appropriate safeguards are in place so that the use of these techniques does not interefere with the rights of children.[178]

Recommendation **35.**	**Scottish Government should ensure that restraint against children is only used as a last resort and exclusively to prevent harm to the child or others.**
Recommendation **36.**	**Scottish Government should introduce a robust and comprehensive national recording system to provide consistency in monitoring the use of restraint across all settings.**

Family environment and alternative care

Parental responsibilities and state's assistance (Articles 18(1) and (2))

Early years and childcare

The cost of childcare[179], alongside a lack of availability and flexibility in provision, can be particularly challenging for parents on low incomes. [180] This is a particular issue for lone parents (of whom 92% are women) and puts families at an increased risk of entering into deeper and sustained poverty.[181] Parents report access to high quality childcare is essential in terms of their children's development and wellbeing. [182] There are significant gaps in the availability of childcare: Only a fifth (21%) of local authorities report that they have enough childcare for working parents. Insufficiencies remain in childcare for older children, parents with atypical work patterns, families in rural areas and those with disabled children.[183] [184]

The provision of affordable early learning and childcare has risen on the political and legislative agenda,[185] relating to concerns about child development, early years intervention and supporting mothers into employment.[186] Yet there remains a distinct postcode lottery as a result of the large variations in costs between local authorities.[187] [188] The Commission on Childcare Reform has highlighted the importance of making progress to improve quality and provision of childcare, and, most significantly, to reduce the cost.[189]

Recommendation 37.	***Scottish Government should ensure that affordable, flexible and high quality childcare is available to all families, focusing particularly on provision for those with low income, living in rural areas, parents with atypical work patterns and families with disabled children.***

Positive parenting

The *National Parenting Strategy* includes a commitment to develop comprehensive and practical advice to parents on managing their children's behaviour, to ensure they keep children safe and act as role models throughout a child's life.[190] Workshops conducted by the Children's Parliament found that having protective and supportive parents played an important role in making children feel happy and safe.[191] However, in a survey of 1000 parents, 72% said they do not know where to go for advice and support in parenting, and this figure rises to 82% among parents in the most deprived areas.[192]

Recommendation 38.	***Scottish Government should ensure that positive parenting strategies and programmes are sufficiently resourced to equip parents with alternative forms of behaviour management techniques.***

Young carers

Young carers are a hidden population and their circumstances are relatively unknown.[193] There are an estimated 29,000 young carers aged 4-15 years[194] and up to 100,000 young carers in total.[195] An accurate figure is unavailable as there is no consistent method of identifying young carers. Without early identification and the provision of sufficient support, young carers face barriers in relation to school and further education,[196] financial hardship[197], socialising[198] and lack of access to play and sporting activities.[199]

Young carers are more likely to live in the 20% most deprived data zones.[200] Financial pressures cause young carers great stress and anxiety and can affect their ability to study.[201] The transition from childhood to adulthood can be a particularly challenging time and young carers have identified a lack of sufficient support and financial assistance during transition.[202] Young carers value face-to-face support and in particular local young carers' groups: They emphasise that it is important they are listened to and that professionals, including those in school, support them,[203] understand their unique circumstances[204] and respect their privacy. [205] The provision of young carers' groups varies markedly across Scotland.[206]

Good practice to support young carers includes the development of a Young Carers Rights Charter, the dissemination of Young Carers Identification Cards[207] and the production of local strategies to support young carers.[208] Further examples of good practice are highlighted in Scottish Government's 2013 review[209] of *Getting It Right for Young Carers Strategy 2010-2015.*[210] However, further detailed analysis is needed to determine whether progress has been made in practice.

The Scottish Parliament is currently scrutinising a *Carers (Scotland) Bill*[211] which aims to further the rights of young carers.[212] The *CYP Act* includes the universal GIRFEC approach which means that young carers, along with any other child with additional needs, should have their needs concerning their wellbeing assessed through the process of the Child's Plan.[213] Concerns have been raised that the universal provisions within the *CYP Act* may not be sufficiently bespoke for the circumstances of young carers.[214]

Recommendation 39.	*Scottish Government should ensure that all young carers are identified as early as possible, that they receive appropriate support throughout school and in the community, and particularly during the transition to adulthood. Universal approaches to support children's wellbeing should recognise, identify and provide the necessary support for young carers.*
Recommendation 40.	*Local young carers strategies should be established across all local authorities, and be developed, monitored and evaluated by young carers. Local authorities should record and report on the identification of young carers in their area.[215]*

Violence, abuse and neglect (Article 19 and Article 37(a))

Scotland's *National Domestic Abuse Delivery Plan for Children and Young People*[216] was a 3-year plan published in 2008 and developed following consultation with children.[217] The final summary report showed progress across key priority areas including the involvement of children's voices in decision-making.[218][219] In 2014, Scottish Government published *Equally Safe*, a strategy for preventing and eradicating violence against women and girls which highlights prevention as a priority area.[220] At present, *Equally Safe* has no subsequent action plan to fulfil its outcomes. Scottish Government intends to reform criminal law to address domestic abuse and sexual offences[221] and children's views and child protection should be central considerations.[222]

Reported incidents of domestic abuse to the police have risen gradually from 51,926 incidents in 2009-10,[223] to 60,080 in 2012-13.[224] Although there is no national estimate of children experiencing domestic abuse, children living with domestic abuse are over-represented in referrals to children and family social work teams, represent up to two-thirds of cases seen at child protection conferences and comprise a significant proportion of those referred to the Children's Hearings system.[225] Domestic abuse is a common factor in the lives of many looked after children.[226] Young people (particularly girls and LGBT young people) are also affected directly by violence within their own intimate relationships and by other forms of gender based violence including sexual violence, sexual harassment and sexual exploitation.[227]

Domestic abuse and its effect on children is an incredibly complex issue[228] and, as such, it is important that it is addressed in ways which includes a recognition of its causes.[229][230] An early intervention and holistic approach to providing perpetrator programmes and support to the non-abusing parent and children are key to ensuring that a child's rights are upheld.[231] Mothers' and children's existing or potential abilities to promote each other's recoveries in appropriate and effective ways should be widely recognised, encouraged and developed by professionals.[232]

Through the *Voice Against Violence* programme, children spoke about coping with domestic abuse[233] and developed participation standards to help empower other children affected by the issue to participate and break down barriers.[234] However, those working with children in this area face barriers in accessing sufficient resources and funding to secure the time and space needed to carry out activities and develop good practice.[235]

Children's views are often not heard or sufficiently taken into account in family law proceedings and the assumption that contact is in the best interests of the child often determines the outcome of the case. This has a negative impact on some of the youngest and most vulnerable children and children who are exposed to ongoing abuse through unsafe contact orders.[236] More than half of children whose parents go to court in disputes over contact where there are also allegations of domestic abuse do not want any contact with their non-resident parent. The older children are, the more likely it is that their views would be taken into account. However, even when children's views in cases involving domestic abuse are taken, there is significant variation in the *weight* that is attached to their views. Recent research shows that one-third of children (34%) had a contact outcome that bore no resemblance to the view they expressed and one-fifth (20%) had an outcome that only partially accommodated their view.[237]

Recommendation 41.	*Children's views and experiences should be heard and taken into account in development of all measures to combat all forms of violence, abuse and neglect.*
Recommendation 42.	*Domestic abuse should be recognised as a child rights issue in legislation, policy and practice.*
Recommendation 43.	*Sufficient funding and resources should be made available across national and local government to protect children from the effects of domestic violence, focusing on prevention.*
Recommendation 44.	*All those who take children's views in decisions on contact should be trained on the dynamics of domestic abuse and in the benefits of participation for children, and given materials to support participation in practice.*
Recommendation 45.	*Children involved in contact decisions and court procedures should have consistent access to high quality independent advocacy and to the full range of therapeutic interventions available.*
Recommendation 46.	*UK Government should ratify the Council of Europe Convention on preventing and combating violence against women and domestic violence (the "Istanbul Convention").*

Looked after children (Article 20)

In 2014, 15,580 children were looked after children in Scotland (a reduction from a peak of 16,248 children in 2012). The number of children placed in the community has risen whilst those in residential accommodation has reduced.[238] The number of looked after children at home has reduced consistently since 2010.[239] Looked after children continue to face multiple violations of their rights and their life chances remain stubbornly poor.[240] [241] Too many children are left too long in an unsuitable home environment and too few move quickly enough into stable, loving homes and go on to enjoy the same life chances as other children.[242]

Looked after children have highlighted a number of issues that affect their lives including stigma,[243] [244] the need to be listened to,[245] and how strong relationships can help to provide the support and information they need to resolve problems and concerns.[246] [247] Looked after children want to be placed near their families[248] yet they report frequent moves which can have negative effects on their sense of belonging. [249] They want the right to continue relationships with other children and adults who are important to them when they move placements and speak of the importance of being able to experience and express love whatever setting they live in.[250] [251]

Looked after children need to understand their rights and entitlements in order to meaningfully participate in the formal processes that affect their lives.[252] Delays in decision-making and obtaining a permanent placement continue to result in poorer outcomes for children.[253] Young people with

care experience have identified improvements and made recommendations to improve how permanency planning operates in practice. [254] [255]

Recommendation 47.	*All children with care experience should have the opportunity to participate meaningfully in their care plans, which must be timely, flexible and recognise the needs of the individual child.*

Looked after disabled children

Disabled children are over-represented in looked after children populations and it is estimated that between 10 and 25% of looked after children in the UK are disabled.[256] Looked after disabled children remain a hidden group and speak about their experiences of not being heard.[257] There is concern that presumptions are often made about the competency of children who use a range of communication strategies to express their views and they can often be overlooked. [258] Widespread delays are reported in making permanency decisions for disabled looked after children, who often have a higher turnover of placements.[259] [260] A scoping study in 2011 highlighted a lack of reliable local authority data collection on the number of looked after children with specific additional support needs, and the subsequent support provided.[261]

Recommendation 48.	*Scottish Government should ensure there is nationally collected data on the numbers of disabled children in care.*

Advocacy

It is challenging to assess how many looked after children have access to advocacy services and where there is provision of advocacy support.[262] It is clear that advocacy services are not always available to all children who are currently or were previously looked after.[263] Young people with care experience report that advocacy provision is inconsistent across Scotland and dependent on decisions made by each local authority.[264] As a result, looked after children can face obstacles in expressing their views[265] and engagement can be seen as a tick box exercise.[266] Scottish Government has published an online advocacy resource to be used as a guide for anyone who advocates for a child.[267]

As highlighted in the UK Periodic Report, the *CYP Act* requires every corporate parent to be alert to matters adversely affecting the wellbeing of looked after children and formerly looked after young people under the age of 26.[268] However, it does not include a provision to provide advocacy services to all looked after children. Scottish Government has reported on progress of implementation of the *Education (Additional Support for Learning) Act 2004* in relation to looked after children, [269] but recommendations for further action do not focus on the provision of advocacy services.[270] The *Children's Hearing (Scotland) Act 2011*[271] includes a duty on the Chair of a children's hearing to ensure that a child is aware of their right to access support from advocacy services. However, the Chair need not do this if he or she believes that the child is not old or mature enough to understand the question. As a result, some children may be unaware of their right to access advocacy support.

Recommendation 49.	*Looked after children should have consistent access to high quality independent advocacy to ensure their participation in decisions affecting them.*

Mental health and additional support needs

The number of children in secure care accommodation with known mental health problems has more than doubled since 2011[272] Evidence suggests that high-quality caregiving with added interventions are important in affecting positive change in the mental health of looked after children. More attention could be given to what promotes positive outcomes rather than the current overemphasis on challenging behaviour.[273]

Recommendation 50.	***Relevant authorities (such as corporate parents) should provide adequate services for looked after children, including education support and CAMHS.***

Sibling contact

Children's ability to maintain contact with their siblings is not being effectively addressed.[274] Care experienced young people highlight that good quality contact with those who are important to them outside of the care system instils a sense of normality. They want to be included in decisions about contact to be based on their needs as opposed to the needs of parents or the allocation of resources.[275] Between 2012 and 2013 there was an increase in the number of children seeking legal advice in relation to sibling contact where one or more of the siblings were accommodated.[276]

Recommendation 51.	***The initiation of contact proceedings should be facilitated for all children and reflect their particular needs, including for those in long-term residential care.***

Leaving care

Gaps in local authority provision of quality throughcare and aftercare services remain. Challenges include how best to engage, plan for and support young people into adulthood, how to meet the needs of different groups of care leavers and how to ensure they have the information they need to plan services and monitor young people's outcomes.[277] Throughcare and aftercare support and service provision is variable and significant numbers of eligible young people do not currently have access to these services. [278]

Young careleavers do not feel that their views are consistently heard,[279] which has a negative effect on their feelings of power and control in their lives.[280] They report feeling isolated and alone when leaving care, and uncertain about their future. [281] Accommodation options are often seen to be unsuitable[282] [283] [284] and young careleavers identify the need for better access to financial and practical resources and emotional support. [285] Children in residential care would like more support around involvement in planning for their placement moves and in preparing for leaving care and after they had left care.[286] [287] [288]

New duties in the *CYP Act*[289] to provide aftercare and measures for continuing care are welcome. Looked after children have highlighted that successful implementation of these duties should include meaningful and flexible involvement of care plans and early support in preparing for the future.[290]

Recommendation 52.	***Young careleavers should be actively involved in all stages of preparing, planning and evaluating their throughcare and aftercare support.***

Kinship care

The number of children known to be looked after and accomodated with friends or relatives has steadily increased from 2,993 in 2009 to 4,181 in 2014.[291] An estimated 13,000 live in informal kinship care arrangements. This distinction can have a significant impact on financial and other support available to their carers.[292] The UK Periodic Report does not refer to the vast number of children in informal care arrangements or to the financial strain faced by kinship carers and the effect this has on children in kinship or foster care.

There is a changing landscape of support for kinship care families[293] and in relation to welfare reform.[294] The financial implications of being a kinship carer can be complex and the technical language surrounding kinship care can be difficult to understand.[295] Many kinship carers stuggle financially, with one report highlighting 43% had to give up work when they became a kinship carer.[296] Children in kinship care have highlighted a wide range of support structures that would help them including emotional support, practical support with family contact, support with school work and access to other support services and oportunities to enjoy leisure facilities.[297]

Recommendation 53.	*Scottish Government should ensure that all kinship care families are provided with appropriate support (including financial) to meet the needs of children and their carers.*

Foster care and adoption (Article 21)

The UK Periodic Report notes that the number of adoptions has doubled since 2008. Yet data indicates that there has been a minimal increase in adoptions since 2008 (421 to 489) and a decrease in the number of children with prospective adopters since 2008 (242 to 201).[298] Generally, adoption services are reportedly performing well but services could improve by better evidencing the outcomes for children as a result of their interventions. Furthermore, children should not suffer from a delay in permanency.[299]

Children in foster care have highlighted that they continue to want their views to be heard regarding all aspects of their care, be able to input into decisions and that support with education is appreciated as well as being able to participate in activities and go on holiday. Help from social workers and advocates is important to children in foster care to help them cope with transitions.[300] Foster care experiences remain varied and inconsistent in quality. A review concluded that organisations need to take account of the views of children in foster care, and shape services to meet their needs.[301]

Recommendation 54.	*Scottish Government should ensure that children with care experience are included in decisions regarding all aspects of their care. Improvements in care services should be shaped by the views of children and by evidenced outcomes.*

Children affected by imprisonment

In 2012, it was estimated that there are 27,000 children affected every year.[302] These children are three times more likely to develop a significant mental health problem than their peers.[303] They experience stigma,[304] the effect of which often prevents them from seeking support,[305] and report feelings similar to bereavement.[306] The physical and mental effects are compounded and exacerbated by financial difficulties, which are over and above the deprived economic circumstances in which many of the families live and experience before and after the prison sentence.[307]

As highlighted in the UK Periodic Report, a set of minimum standards for encouraging family contact were produced by the Scottish Prison Service and became operational in March 2013.[308] All prisons now have children's visits, and there are examples of good practice in NGO service provision.[309] Prison Visitors' Centres are an essential means of ensuring access for families of prisoners,[310] and serve a vital role in providing information that visitors need.[311] Such Centres act as a bridge between prisons and the community, as a tool in building public relations, as a useful neutral venue for engagement with families, and as a gateway for links with community-based support.[312] In 2013, the Scottish Prison Service announced their aim that every prison in Scotland should have a Visitors' Centre.[313] [314] [315] Out of 15 prisons in Scotland, 8 still do not offer this service and those that do exist vary significantly in terms of their resources and capacity.[316]

Whilst these developments are welcome, significant improvements are still needed. The routine use of Child and Family Impact Assessments at key stages in the criminal justice system is needed to assess the impact of parental imprisonment on a child. These would ensure a focus on the rights of the child (which is important, even if the sentence is so serious that prison is the only option) and have the potential to inform a Judge's or Sheriff's decision and ensure children's views are taken into account.[317] Crucially, they ensure that the rights of the child are upheld and respected, and appropriate support is put in place.[318] There remains a lack of awareness amongst practitioners, organisations and agencies working with children on the effects of having a family member in prison.[319]

Recommendation 55.	*Child Rights Impact Assessments should be undertaken during arrest, sentencing and conviction of a parent or carer, making sure that the children's best interests are a primary consideration at all stages.*
Recommendation 56.	*Children affected by imprisonment should be effectively identified and data collected so their needs are met. Professionals working with children should receive training and guidance on how to identify children affected by imprisonment of a family member.*
Recommendation 57.	*Scottish Government should commit statutory, sufficient and sustainable funding for a Prison Visitors' Centre in every prison, recognising the multiple positive impacts that they have on children and families affected by imprisonment.*

Children with parents or siblings in the Armed Forces

Little attention has been given to children affected by parents or siblings in the Armed Forces. This group of children can experience anxiety and worry when a member of their family is deployed overseas.[320] [321] Whilst there is anecdotal evidence that many children affected by a family member in the Armed Forces feel unsupported by professionals and peers, there is very little empirical evidence to bridge the gap in knowledge of this vulnerable group.

Recommendation 58.	*UK and Scottish Government should determine how many children are affected by a family member in the Armed Forces and ensure that the views of this group of children are gathered to help ensure that their needs are met.*

Basic health and welfare

Health and health services (Article 24)

The UK Periodic Report refers to the work of the Ministerial Task Force on Health Inequalities.[322] In 2008, the Task Force produced *Equally Well*[323], a national strategy on health inequalities. The rate of improvement in health in poorer areas is significantly slower than in more affluent areas.[324] In 2013, no significant progress had been made against the associated health inequalities indicators. [325] Wider inequalities in society must be addressed to reduce health inequalities. [326] The prevention and elimination of inequalities can only be achieved if underlying differences in income, wealth and power across society are reduced.[327] [328] Experience in early childhood is understood as a key driver of future health and addressing inequalities in the early years is deemed crucial to reducing health inequalities across the life course.[329]

Children from vulnerable groups continue to face barriers in accessing and using health services: This is a particular issue for LGBTI children, [330] minority ethnic families,[331] children affected by HIV,[332] children living in low income families[333] and for families in rural areas.[334] There is a lack of evidence on how, and to what extent, children are experiencing policy measures specifically aimed at tackling health inequalities.[335] There is also limited evidence on child participation in the evaluation of healthcare services provided to them. [336]

Recommendation 59.	*Health inequalities should be addressed through a coordinated approach across UK and devolved Governments, across government departments, and in response to children's views. This approach should reduce income inequality and poverty, be focused on the early years and include targeted measures to tackle the barriers to healthcare experienced by particularly vulnerable groups of children of all ages.*

Early identification programmes (Article 24 (2f))

The UK Periodic Report refers to the Family-Nurse Partnership (FNP) Programme[337] which provides an intensive home-visiting programme to first-time teenage parents and has been evaluated positively.[338] There are calls for sustained investment in the FNP and support for younger mothers who cannot access targeted programmes.[339] Launched in 2012, the *Early Years Collaborative (EYC)*[340] is a Scottish Government-led multi-agency programme of work aiming to improve outcomes for children and their families through supporting the use of improvement methodology in children's service planning and delivery. A two-year review of the *EYC* recommends a focus on supporting practitioners and engaging with leaders and decision makers to ensure skills and resources are provided to sustain implementation.[341]

Recommendation 60.	*The effectiveness of early identification programmes should be assessed through national monitoring and evaluation strategies which are designed to support shared learning and continuous improvement at national and local level, and ensure the best use of resources in terms of effective outcomes.[342]*

It is widely accepted that the best way to fulfil Scottish Government's pledge to increase the focus on early intervention and early years in service provision[343] is to increase access to universal health visiting services.[344] The number of health visitors approaching retirement and the current pressures on health visitors' workload has led to the service reaching a *"crisis point".'*[345] In 2014, Scottish Government announced the recruitment of 500 more health visitors over the next four years.[346]

Recommendation 61.	*Health visiting services should be adequately and sustainably funded, and the number of suitably trained health visitors should be monitored and assessed to ensure that every family has access.* [347]

Breastfeeding (Article 24 (2e))

The percentage of births in UNICEF Baby-Friendly accredited hospitals has risen from 53% in 2009[348] to 81% in 2013.[349] A stated outcome of the *Improving Maternal and Infant Nutrition: A Framework for Action*[350] was that breastfeeding is increasingly seen as the norm. [351] The rate of breastfeeding has remained broadly similar in the last decade[352] although there has been an increase in the most deprived areas. After the one-month mark, babies born among more disadvantaged families in 2010–11 were more likely to be breastfed for longer compared with those born in 2004–05.[353] However, a clear association between breastfeeding and deprivation remains.[354] In 2013/2014, mothers in the least deprived areas were nearly three times as likely to exclusively breastfeed at 6-8 weeks compared with mothers in the most deprived areas.[355]

Recommendation 62.	*Assess why there has not been a significant increase in the rate of breastfeeding. Provide adequate resources to further promote breastfeeding, focusing efforts to support families living in the most deprived areas.*

Disabled children (Article 23)

There were 15,510 children assessed or declared disabled in 2013.[356] Disabled children continue to face multiple violations to their rights, including not feeling listened to[357] and a lack of information regarding the reasons for decisions that affect them. [358] Spending cuts to social security at a UK Government and subsequent local authority level are having a detrimental impact on the rights of disabled children and their families.[359] Low income has been recognised as a key explanatory factor for why many disabled children face multiple violations of their rights.[360] Longitudinal data suggests that many differences observed between disabled and non-disabled children are driven by socio-economic distinctions, rather than the presence of a disability.[361] Less accessibility and availability of services and tightened eligibility criteria[362] means that disabled children are using fewer services, receiving less appropriate and adequate support and having to join waiting lists. [363] There are concerns that the *CYP Act* does not address the specific needs of children with a disability.[364] [365]

Recommendation 63.	*Take all possible steps to ensure that disabled children receive the support necessary to meet their needs. Spending decisions must be assessed on evidence that they will not have a detrimental impact on disabled children.*

We welcome the UK ratification of the UN Convention on the Rights of Persons with Disabilities (UNCRPD) in 2009. Scottish Government has worked with disabled peoples' organisations, scrutiny bodies, MSPs and public bodies to assess what progress has been made in implementing the UNCRPD.[366] This work will inform a Disability Delivery Plan which will include a set of commitments on action to progress the UNCRPD over the next 10 years. In addition, recognising the key role of local government in making the rights in the UNCRPD a reality, CoSLA will also publish a Disability Delivery Plan for Local Government. Some concerns have been raised as to the extent to which the plans will take account of the rights and needs of children.[367]

Recommendation 64.	*Local and national governments should undertake CRIAs on the draft Disability Delivery plan to ensure they proactively consider and promote the rights of disabled children, and take account of their experiences.*

The UK Periodic Report[368] refers to the *Social Care (Self-directed Support) (Scotland) Act 2013*[369] as a means of furthering children's rights by ensuring that local authorities seek and have regard to the views of children. Disabled children with complex needs, including communication support needs, have stated that there needs to be much better and more accessible information on what services and support is available to them and their families.[370] Disabled young people highlight the importance that professionals in public-facing roles (including retail, transport, leisure and the police) are given training to ensure that they are more sensitive to the needs of, for example, autistic children.[371] Disabled young people have associated a lack of such training and understanding with unnecessary confrontation and inappropriate decisions made by professionals.[372]

Recommendation 65.	*Scottish Government should evidence how the views of disabled children are taken into account in the development of government strategies, policies and programmes and evaluate the influence these views have had.[373]*
Recommendation 66.	*Ensure that training for professionals working with children includes the development of skills and competencies to support the needs of disabled children.*
Recommendation 67.	*The Scottish Goverment should ensure accessible and child-friendly guidance to support the effective participation of disabled children in decisions affecting them is made widely available to children and practitioners .*

Disabled children repeatedly identify the importance of establishing and building friendships and socialising, and yet insufficient personal support and a lack of autonomy from their parents can often prevent them from doing so.[374] Disabled young people have called for steps to be taken that would allow them to increase their independence and build friendships[375], such as accessible transport so that they can travel alone and someone to help them communicate with others. [376]

Recommendation 68.	*Target resources at ensuring disabled children are able to overcome social isolation and establish and maintain friendships.*

Transitions

Scottish Government has recognised that action is needed to develop better support in points of transition throughout children's lives.[377] The transition from adolescence into adulthood is a challenging time for young people, particularly those with additional support needs such as a disability, autism, deaf[378]/blindness, mental health and exceptional health care needs.[379] There is a very mixed picture in transitional planning in terms of monitoring and tracking, partnership working between agencies, involvement of children in the planning process and the point at which planning begins.[380] Young disabled people have raised the need for more information about moving from school to college, university or work and concerns about insufficient careers advice.[381] Without this, young people can struggle to make meaningful decisions about their future or work towards realising their aspirations.[382][383] The accessibility of information, support and guidance around post-school transitions has been found to be particularly inconsistent and challenging to navigate by young deaf people.[384] Under the *Education (Additional Support for Learning) (Scotland) Act 2004*[385], education authorities must do certain things to help all young people with additional support needs make the transition from school to post-school life successfully.[386] However, procedures for the transition planning process varies depending on local authority and a child's additional support needs,[387] resulting in inconsistent practice. [388]

Recommendation 69.	*Legislation and policy relating to transitions must be coordinated to ensure planning involves children at all stages, is coordinated across all services (including health, education and social care) and continues up to age 25.[389]*
Recommendation 70.	*Ensure young people undergoing transitions are involved in the design of services and have access to advice and information regarding options available.[390]*

Mental Health (Article 24)

The mental health of children has remained stable over the past decade but extensive inequalities exist across genders, ages and socio-economic groups.[391][392] Children with mental health needs continue to disproportionately experience a variety of human rights violations and are at higher risk of becoming a victim of ill-treatment and exploitation.[393][394] The total number of young people being admitted to non-specialist inpatient settings (paediatric and adult wards) has risen since 2008, and the numbers admitted in each NHS Health Board are extremely variable.[395] The number of young people admitted to non-specialist facilities is rising[396] and there has been a substantial reduction in the number of wards giving young people the choice of admission to a child or adult ward. [397][398]

The UK Periodic Report refers to Scotland's *Mental Health Strategy 2012-2015*, which identified child and adolescent mental health as one of its four Key Change Areas.[399] There remains inadequate mental health support for children at risk of or engaged with offending behaviour,[400] LGBT young people[401] and looked after children.[402] The UK Periodic Report comments on significant progress in the last three years regarding improved access to specialist Child and Adolescent Mental Health Services (CAMHS). Whilst there has been progress in some areas, the performance of each NHS Board (fourteen Boards in total) varies considerably.[403] The average waiting time for CAMHS in December 2014 ranged from 4 to 20 weeks depending on the NHS Board.[404] The new target waiting

time for CAMHS is 18 weeks (as of December 2014) [405] but there is concern that this target has not been met by a number of NHS Boards.[406] There is a need to increase investment to meet waiting list targets and guarantee adequate inpatient services. [407] In May 2015 Scottish Government committed an extra £85 million to improve mental health services over the next five years, some of which should be allocated to improving CAMHS services and reducing waiting times.[408]

Recommendation 71.	*Invest in universal preventative and early intervention children's services to prevent an increase in mental ill health among children.*
Recommendation 72.	*Ensure new funding for mental health is sustained and focused on children and particularly directed at those who are most at risk, including children with a disability, looked after children, children living in poverty, LGBTI children and children with additional support needs. Invest sufficient resources in CAMHS to meet the needs of all children requiring support in a timely and effective manner.*

Adolescent health services (Article 24)

There is reduced access to contraception and sexual health services across the UK.[409] [410] Young people have called for increased family planning services within education including free contraception and childcare workshops.[411] Young people are often concerned, embarrassed or worried about visiting their GP, particularly in relation to discussing sexual health.[412] [413] There is a need for choice with regard to where and how services are provided and ensuring that all services are tailored to the needs of young people.[414] Young people talk about having positive experiences with health professionals who are patient, respectful, understanding and take time to listen.[415]

There continues to be a strong correlation between deprivation and teenage pregnancy. The most deprived areas have a birth rate nearly 12 times higher than the least deprived areas, and nearly twice the rate of abortion.[416] Scottish Government is clear that improvements in sexual health will require a multi-agency approach that cannot be addressed through interventions delivered in specialist sexual health services alone. Poor sexual health and high levels of teenage pregnancies are symptomatic of wider health inequalities.[417]

Recommendation 73.	*Ensure a multi-agency approach is taken to improve the provision of sexual health services that recognises wider health inequalities and is informed by the views and experiences of young people.*

Adequate standard of living (Article 27)

Child poverty

More than one in five (220,000) of Scotland's children were officially recognised as living in poverty in 2012/2013.[418] [419][420] This is predicted to increase at an alarming rate, to nearly 1 in 3 by 2020.[421] The rise in costs of goods and services including food[422] and childcare[423] combined with welfare reform and low wages makes it incredibly challenging for some families to afford the material resources and services children need.[424] The number of children accessing food banks has risen at an alarming rate, from 1,861 children (April 2011-March 2012) to 36,114 children (April 2014-March 2015).[425] The Scottish Parliament Welfare Reform Committee is convinced that there is a direct correlation between welfare reform and the increase in use of food banks.[426] There is UK-wide concern regarding *"holiday hunger"*[427] and examples of initiatives in Scotland reveal this policy gap.[428]

Children report that living in poverty presents challenges accessing resources for learning such as buying school uniforms and accessing resources for school work.[429] In a survey of 910 children, 72% strongly believed that their views need to be listened to when governments are trying to tackle poverty.[430]

The UK Periodic Report notes that Scottish Government has published annual Child Poverty reports from 2012.[431] In 2014, the Child Poverty Strategy was supported by a measurement framework for the first time.[432] Unlike England and Wales, there is no legislative duty on local authorities in Scotland to produce and deliver on child poverty strategies.[433] This results in inconsistencies in local action and difficulties in assessing the extent to which implementation is being taken forward at a local level.[434]

Recommendation 74.	*UK Government should commit to making the elimination of child poverty a national priority and develop, fund and implement a plan to reduce the number of children in poverty year on year for the next 5 years. This should include helping parents bring home a decent income, strengthening universal credit, reducing demand for foodbanks and protecting families from rising living costs.*
Recommendation 75.	*Scottish Government should provide sufficient resources to effectively take forward, monitor and evaluate Scotland's child poverty strategy and report annually on progress against key elements.*
Recommendation 76.	*Local authorities should produce child poverty strategies consistently and in coordination with local service planning and budgets. Progress at local level should be supported and driven by clear measures, timescales and lines of accountability [435] that are effectively supported, monitored and evaluated.*

Taxation and social security (Article 26)

As of 2013/2014, UK Government has been undertaking welfare reforms including real term cuts, reduced entitlement to tax credits and reduced value of child benefits.[436][437] There have been increased sanctions[438] and benefits delays.[439] The UK Periodic Report notes that *"reforming the welfare system through Universal Credit…will lift up to 300,000 children out of poverty."*[440] Alongside NGOs, Scottish Government raised significant concern regarding this statement.[441] The projected increase in child poverty levels in Scotland is widely understood to be a direct result of UK Government welfare reforms, which disproportionately impact the health of vulnerable groups,[442][443] including adults with learning disabilities, children,[444] women[445][446][447] and single parents.[448]

The *"benefit cap"*[449] and *"bedroom tax"*[450] are leading to an increasing numbers of parents unable to meet their children's basic subsistence needs.[451] Approximately 80% of the households affected by UK Government's *bedroom tax* in Scotland have at least one adult who is disabled.[452] Under Universal Credit, families with a disabled child could lose around £1,500 a year.[453] Scottish Government has invested £22.5 million to address the implications of the *bedroom tax* through discretionary housing payments,[454] providing free school lunches in primary schools,[455] investing in advice and information services[456] and continuing to resource the Scottish Welfare Fund.[457] This will not fully mitigate the effects of UK Government's other welfare reductions such as incapacity benefits and Disability Living Allowance[458] which are likely to act as a driver for increased demand for a wide range of public services.[459] There are likely to be corresponding resource implications, as local councils face severe challenges in reducing expenditure on services in line with UK public spending cuts.[460]

The increase in child poverty is also understood to be the result of falling incomes for many working families. [461] 6 in 10 children living in poverty now live in families where at least one adult is in employment.[462] Families working full time at the national minimum wage and receiving all entitled in-work benefit and tax credit support are 18% short of the basic amount needed to provide themselves a minimum standard of living.[463] However, worklessness still remains the biggest risk factor for poverty. The UK Periodic Report notes that *"children are around three times as likely to be in poverty if they live in a workless family."*[464] In 2014, 31% of children living in the lowest income decile lived in a home that is not considered to be in a good state of repair compared to 6% in the highest income decile, and 200,000 children were living in homes that were damp.[465]

Recommendation 77.	*Children's right to an adequate standard of living should not be negatively impacted upon as a result of welfare reform. Benefits sanctions should not be applied in a manner which discriminates against families including children from particular groups, such as children with a disability, children in single parent families and children in larger families.*

Gypsy/Traveller sites (Article 27(1-3))

A significant lack of culturally sensitive accommodation is having a detrimental impact on the lives of Gypsy/Traveller children.[466] There is a lack of services on many Gypsy/Traveller sites and a continued inequality between standards of housing for those in fixed accommodation and those who are living on sites.[467] Government policies are not adequate in exerting pressure on local authorities to give due regard to their duties under the *Housing (Scotland) Act 2001*[468] to provide suitable accommodation for all members of the community.[469] This affects the right of Gypsy/Travellers to health and social care, education and other public services[470] and has contributed to accommodation shortages, breakdown of trust between Gypsy/Travellers and local authorities, and tensions with settled communities.[471] A lack of suitable accommodation is forcing some Gypsy/Traveller families into bricks and mortar accommodation, eroding their traditional life and often resulting in severe social isolation and mental health needs.[472]

Only a minority of local authorities have developed effective plans to meet the accommodation needs of Gypsy/Traveller communities since 2009.[473] The lack of progress has been attributed to funding shortages, finding suitable land, resistance by local communities, a perceived complexity of the issue from local authorities and a lack of engagement by members of Gypsy/Traveller communities.[474] There is a need for a range of sites, including permanent sites, temporary/transit sites and stopping places, alongside greater dialogue between local authorities and Gypsy/Travellers.[475]

Recommendation 78.	*Strengthen efforts to remove stigma and discrimination for Gypsy/Traveller communities[476] and reintroduce a statutory duty for local authorities to provide safe and adequate sites for Gypsy/Travellers.*
Recommendation 79.	*Ensure that mechanisms are in place to ensure that Gypsy/Traveller communities can meaningfully participate in planning and decision-making processes.*

Education, leisure and cultural activities

Education, including vocational training and guidance and the aims of education (Article 28 and Article 29)

Educational attainment

There remains a significant attainment gap at school between children from the most and least deprived backgrounds.[477] This starts early and manifests during the pre-school years: Children living in poverty begin school at five already 40% more likely to face difficulties with their cognitive development and twice as likely to face difficulties with their communication development.[478] The attainment gap widens further as children move through their schooling.[479]

In 2014, almost 4% of pupils in the most deprived communities managed to get three 'A' grades in their school-leaving exams (known as Highers), compared to 24% in the wealthiest communities.[480] On leaving school, the gap in performance between children living in deprived areas and their peers remains substantial:[481] Whilst there is evidence of progress emerging in some areas,[482] the headline figures remain broadly unchanged since 2007/8.[483] Although educational outcomes among looked after children have improved considerably over the last four years, they continue to have far lower levels of qualification on average than all school leavers.[484] Children with additional support needs also continue to perform less well at school.[485] [486] [487] [488]

The UK Periodic Report does not comment on the Scottish context of reducing the effects of social background of children on their attainment. We acknowledge Scottish Government's commitment in this area, which as of February 2015 includes an *Attainment Scotland Fund* of more than £100 million over four years to improve educational outcomes in the most disadvantaged communities.[489] Scottish Government has introduced a *Raising Attainment for All Programme*[490] and *Access to Education Fund*[491] and recognises that much more needs to be done to ensure that barriers to learning for looked after children are removed.[492] The forthcoming *Education (Scotland) Bill 2015*[493] places a duty on education authorities and Scottish Ministers to have due regard to reducing inequalities of outcome experienced by pupils which result from socio-economic disadvantage. Whilst welcome, concerns remain that these measures are not yet matched by a coherent strategy to address the educational inequalities experienced by children within their homes and communities.[494]

Children have identified the need for more help for families with additional costs at school such as basic equipment and resources, more support for learning in and out of school through supported study and homework clubs and more out-of-school and leisure activities.[495] There is a need to strengthen support for families to engage in their children's learning.[496] Effective parental involvement programmes to help support their children's learning at home have a positive impact on reducing the attainment gap associated with pupils from economically disadvantaged households.[497]

Recommendation 80.   **UK and Scottish Governments should coordinate efforts to reduce the socio-economic effects on education with wider efforts to remove socio-economic inequality.**

Recommendation 81.	*Intensify efforts to tackle the educational attainment gap, focusing on the early years, on parents' engagement and improving the home learning environment. Ensure the views and experiences of children are used by government officials, school leaders, teachers and other key stakeholders to inform and identify the practical support needed by the children they work with.*
Recommendation 82.	*Improve data collection, research and evaluation for schools and local authorities to draw on to inform their approaches to tackle the attainment gap and inform professional development. [498] This should include national mapping and scrunity of specific services including speech and launguage therapy, classroom assistants and educational psychologists.*

Bullying

The UK Periodic Report refers to Scottish Government's *National Approach to Anti-Bullying for Scotland's Children and Young People*[499] which aims to ensure a coherent and holistic approach to anti-bullying. Scottish Government has also provided funding to Respect*me*[500]to increase awareness of how to keep safe online[501] and to raise awareness of bullying among parents.[502]

Despite an increasing concern about cyberbullying,[503] [504] bullying continues to take place more frequently face-to-face, and is more likely to be experienced in person *and* online, rather than online only.[505] An evaluation by children of the prevention, management and recording of bullying incidents found varied practice across schools.[506]

Prejudice-based bullying relating to disability, race or ethnicity, religious belief, sex or gender, sexual orientation and transgender identity is of serious concern.[507] LGBT young people are particularly vulnerable to being bullied and can lack confidence in reporting homophobia, biphobia, or transphobia in schools.[508] The effects of experiencing prejudice-based bullying and poor experiences at school is associated with lowered confidence, poor attendance and/or leaving school early.[509] Few local authority anti-bullying policies name all relevant protected characteristics and even fewer provide information on how bullying based on these characteristics is dealt with.[510] Similarly, school prevention and awareness programmes are more likely to cover bullying than prejudice.[511]

Recommendation 83.	*Ensure there is integration of preventative and response strategies[512] with clearer and explicit strategies to tackle and prevent prejudice-based bullying and online bullying behaviours.*
Recommendation 84.	*Ensure consistent and robust recording and monitoring of bullying behaviour, both in person and online, across all local authorities.*
Recommendation 85.	*Undertake research nationally on prejudice-based bullying with children on their identification and/or attitudes to provide insight into how prejudice functions.[513]*
Recommendation 86.	*Provide adequate resources to help reduce bullying and promote children's safety online.*

Child participation in school matters

The UK Periodic Report refers to *Curriculum for Excellence* which aims to ensure all children develop the attributes, knowledge and skills they will need in life, learning and work.[514] Children value participating in their own learning[515] and want to be listened to on topics including spending money, the school community, and choosing books and games.[516] A review of the *Curriculum for Excellence*[517] has found that children still want a more active role around planning their learning that includes partnerships with teachers, more personal choice and pupil-led opportunities.[518]

Examples of good practice exist whereby children have been able to assert their views.[519][520][521] There is a large take-up of the UNICEF UK Rights Respecting Schools Award.[522] Nearly all schools have a pupil council and often offer a range of opportunities for pupils to get involved in having their say.[523][524][525] However, pupil councils are rarely involved in teaching matters and communication between the pupil council and the wider community can be irregular and ineffective.[526] Many pupils feel that the council's goals are not achieved owing to a lack of money and/or time, irregular attendance by pupil councillors or adult advisers, and *"being let down by schools"*.[527]

Recommendation 87.	*Enhance dialogue, power sharing, and decision-making within schools with all pupils. Ensure purposeful, participatory opportunities for all pupils in all areas of school life.*

School exclusions

School exclusions have been steadily decreasing.[528] Scottish Government guidance states that *"informal"* exclusions are a form of exclusion and must be recorded as such and that alternative education provision must be delivered without undue delay.[529] There is a lack of data in relation to the number of informal exclusions and details regarding the delivery of alternative education provision.[530] Concerns have been raised that the implementation of this guidance is patchy[531] and that where exclusion is being considered, the GIRFEC approach to consider the wellbeing needs of a child is not always undertaken.[532]

Disproportionately high exclusion rates persist in respect of vulnerable groups. Children with additional support needs are four times more likely to be excluded from school and exclusion rates for looked after children are eight times higher than their peers.[533] Cases of exclusion amongst pupils living in areas associated with the bottom 20% of the Scottish Index of Multiple Deprivation are six times higher than those living in the top 20%.[534]

School exclusion is a key factor impacting adversely on the subsequent conviction rates of children and the likelihood of offending behaviour.[535] Labels attached to children seen as *"troublemakers"* at school can lead to isolation and stigmatisation. Greater emphasis should be placed on *"educational inclusion"*.[536] There is an urgent need to develop more imaginative ways of retaining children in mainstream provision whose behaviour is perceived as challenging.[537] Children at risk of exclusion have recommended that practitioners listen to them and look behind challenging behaviour to try to understand the factors that contribute to it.[538]

Recommendation 88.	*Place greater emphasis on educational inclusion, by offering school-based alternatives to exclusion[539] and putting in place multi-agency training to increase awareness and application of an inclusive education approach.*

Recommendation 89.	*Ensure the disciplinary measure of permanent or temporary exclusion is used as a means of last resort only, and that "informal" and illegal exclusions do not occur. Ensure alternative educational provision for excluded pupils begins promptly after exclusion and is of a high quality.*
Recommendation 90.	*Ensure that children have the right to appeal against their exclusion, with legal advice, assistance and representation provided for those without means. This should include the right to appeal to special educational needs tribunals.*
Recommendation 91.	*Ensure accurate reporting on all school exclusions and ensure information gathered is used to assess improved educational and personal outcomes.*

Play, leisure and cultural activities (Article 31)

Scottish Government published its first national *Play Strategy*[540] in 2013 and a corresponding Action Plan.[541] A number of other strategies have been produced relating to children's participation in art[542], sport[543] and youth work.[544] Stated aims of Scottish Government's *Early Years Framework*[545] include to *"Improve outcomes and children's quality of life through play"* and, in the longer-term, to ensure there are *"high quality play opportunities in every community"* and *"increased play and physical activity."*[546] The EYC has made play a key change theme and will explore how best to support vulnerable families to engage in play, active play and youth sport models.[547] Although there is a renewed vigour in the policy arena regarding Article 31, more needs to be done to provide a consistent, comprehensive and inclusive approach to implementation.[548]

In 2011, approximately 1 in 6 children did not have access to a safe outdoor space for play.[549] Lack of access to play opportunities disproportionately affects children from more impoverished backgrounds and the most vulnerable children.[550] Children's living circumstances affect their outdoor activity levels: 29% of children with low activity levels lived in the most deprived areas, in comparison to 14% living in the least deprived areas.[551] Children from the most deprived areas have less play at home and less perceived access to safe outdoor play space,[552] and have reduced local access to the natural environment and open green spaces.[553] Looked after children also suffer from a disproportionate restriction in their play opportunities as do homeless children, Gypsy/Traveller children and the children of asylum seekers. [554]

There are multiple barriers to play[555] including increased costs for leisure activities,[556] staff that are not trained to work with disabled children[557] and a lack of accessible play spaces. [558] LGBT young people report that there are not enough spaces where they can safely socialise and be open about their sexual orientation and gender identity, and highlight the importance of welcoming youth groups and inclusive socialisation opportunities.[559]

Positive work is taking place in relation to develop Place Standards to ensure that there is equal access to high quality places and to maximise the potential of the physical and social environment in supporting health and wellbeing.[560] Statutory consultation arrangements, while positive for sport, remain weak in relation to informal recreation and open space more generally.[561] Although

Community Planning Partnerships are being strengthened, [562] there is still a need for them to provide a clear plan for place, focused on prevention and reducing inequalities.

Children continually highlight the importance of play and there is a broad evidence base to illustrate the positive benefits of the realisation of Article 31. [563] Research with children found that they want more time for free play at home and in school and yet only 45% of children felt that adults thought play was important. [564] Children, including disabled children, young carers, those affected by parental substance misuse and looked after children highlight the need to have opportunities to be with their friends to play and to have access to a range of activities from swimming to socialising. [565] [566] [567] [568] Disabled young people have reported feelings of isolation and difficulties in accessing play activities, including a lack of accessible transport, unmet needs for personal support and not having money to be with friends. [569]

There have been a number of consultation activities with children in relation to sport[570] [571] [572] [573] as part of a renewed focus on sport for children as a result of the Glasgow 2015 Commonwealth Games. There is a lack of recent data to determine whether this renewed focus has improved the decline in children's participation in sport: Between 2009 and 2013, there was a steady 6% drop in the percentage of children who have participated in sport in the previous week. [574]

Recommendation 92.	*Focus resources on ensuring vulnerable groups, including disabled children and children living in more deprived areas, have access to safe and inclusive play, leisure and cultural activities. Coordinate and implement efforts to further Article 31 in a consistent and integrated way and ensure policies are sufficiently and sustainably resourced, monitored and reviewed to measure progress.*

Relationships and sexuality education

The implementation of *Relationships, Sexual Health and Parenthood Education* (RSHPE) across schools is considered patchy and there is a lack of feedback from pupils to assess effectiveness. [575] Scottish Government has updated its guidance on RSHPE. [576] [577] Whilst this has been mostly welcomed, there are concerns regarding the threshold of information sharing about the sexual activity of a young person and the impact this may have on their ability to access confidential services. [578] [579] Providing RSHPE in schools may be insufficient to address the needs of all children as a result of issues related to literacy skills, learning styles and poor/non-attendees. [580]

The prominence of pornography in shaping norms and behaviours is creating pressures for many young people. [581] [582] There is growing evidence that young people feel increasingly pressured by peers and wider culture to engage in sexual activity that they are not comfortable with. [583] Young people have highlighted a lack of information available on sex and relationships. [584] Children have reported that a better understanding of health issues and improved personal and social education (PSE) at school and college would improve adolescent wellbeing and have called for *"more relevant"* PSE in schools. [585] Young people have indicated that RSHPE should reflect issues prevalent in modern times (including consent, risk associated with sexting and online dating), that discussions of same-sex relationships should not be banned nor restricted and that reliable information should be provided to reduce the dependence on unreliable internet sources. [586]

Recommendation 93.	*Implement reproductive health education consistently and effectively, whilst recognising children's right to privacy under Article 16. This should take into account children who are not in school, the multiple issues and influencing factors (such as social skills, values, attitudes, family support, employability, self-esteem) and the need for age and stage appropriate learning within a coordinated long-term approach.*

UK Implementation of the Convention on the Rights of the Child
NGO alternative report to the Committee on the Rights of the Child – SCOTLAND
Together (Scottish Alliance for Children's Rights)   July 2015

Special protection measures

Asylum seeking and migrant children (Article 22, Article 39)

Asylum seeking families continue to live on very low incomes and are forced to move accommodation regularly. This can prevent children from settling into their local school and community or may necessitate long commutes which are unaffordable for asylum seeking families. Decision-making within the asylum process can still take many years. Even within the initial stages of the process there can be significant delays. As a result, asylum seeking children often live in situations of great stress and uncertainty.[587]

Refused asylum seeking women are not entitled to receive any financial support during the first 34 weeks of their pregnancy.[588] This places them at great risk of destitution. Children's organisations report working with a number of destitute women who have faced extreme barriers to staying mentally and physically healthy during pregnancy which has an effect on the health of their unborn child.

It is difficult to estimate the number of destitute asylum seekers and migrants. Evidence available indicates that hundreds of people have been forced into destitution, either because they have been denied a legitimate means of support by the government or because of errors and delays in the administration of a complex and inefficient asylum support system.[589] It is unclear how many of these people are children. Section 22 of the *Children (Scotland) Act* imposes a duty on local authorities to provide a range of services for *"children in need"*.[590] However, this includes no category or plan for families. There is a need to obtain a more comprehensive picture of the extent to which destitution affects asylum-seeking and migrant children.

Recommendation 94.	***Determine the number of destitute asylum seekers and migrants by requesting local authority immigration social work teams to report on the number and situation of the destitute children and families they support.***

Children of parents that do not have leave to remain or have an irregular migration status are not always able to access further education.[591] They may also not have access to primary or secondary healthcare (only emergency healthcare). Although there is Scottish Government guidance relating to primary healthcare and immigration[592], GPs are under no legal obligation to register anyone. Children's organisations have reported a number of cases in which children of parents with an irregular migration status have been unable to access GP services as it can be difficult for them to demonstrate their status.

Recommendation 95.	***Ensure all children – regardless of their or their parents' immigration status – have equal access to primary, secondary and further education, and to primary and secondary healthcare.***

Child detention

Children in the decision and removal phase of the asylum process are increasingly being detained. UK-wide figures demonstrate that the number of detained migrant children almost doubled from 127 in 2011 to 242 in 2012.[593] A total of 444 children have been detained since 2010 despite several UK Government statements proclaiming that child detention is no longer a reality in the UK. [594] Although detention does not take place specifically in Scotland, asylum-seeking children living in Scotland may be detained elsewhere in the UK.

Recommendation 96.   ***End the detention of asylum seeking and migrant children.***

Guardianship

As noted in the UK Periodic Report, Scottish Government provides welcome financial support to the Scottish Guardianship Service (SGS).[595] [596] This service provides essential targeted and intensive support for asylum seeking children who are separated from their families and may have been trafficked from outside the European Union.[597] This service has been highly praised by separated asylum seeking children who value the reliability of Guardians as well as the support offered in accessing health, education and welfare services.[598] However, there is still a gap in that European Union or UK victims of trafficking do not have access to a Guardian.

16 and 17 year-old unaccompanied asylum seekers often continue to be accommodated as *"children in need"* rather than as looked after children[599] and practice is inconsistent across local authorities.[600] Children's organisations report that some local authorities are unfamiliar with working with trafficked children. As a result, social workers can miss indicators and are unaware of the risks facing the child, which can lead to delays and inappropriate support for trafficked children.

Recommendation 97.   ***Guarantee that all unaccompanied asylum seeking and trafficked children enjoy early and effective access to specialist legal representation.***

Age disputed cases

The UK Periodic Report notes that UK Government is working with a range of organisations to develop improved age assessment guidance for practitioners.[601] However, age disputes continue to be a significant issue.[602] Age assessment still operates within a culture of disbelief rather than on the *"benefit of the doubt"*.[603] Young people who have had their age disputed have disclosed experiences of trauma, violence, torture and exploitation.[604] These children are unable to access age-appropriate support and are treated as adults with regards to housing, the asylum process and the risk of being subject to detention. A number of these vulnerable children have later been recognised and supported as children by their local authority.[605] Children's organisations are concerned that there are more vulnerable children in this situation.

Recommendation 98.   ***Ensure a multi-agency approach is taken to age assessment which includes a streamlined process of judicially determining a child's age.***

--- Page 39 ---
UK Implementation of the Convention on the Rights of the Child
NGO alternative report to the Committee on the Rights of the Child – SCOTLAND
Together (Scottish Alliance for Children's Rights)   July 2015

Age of criminal responsibility (Article 40)

At age 8, the age of criminal responsibility in Scotland remains one of the lowest in Europe. As noted in the UK Periodic Report,[606] Scottish Government made a commitment in 2009 to *consider* raising the age of criminal responsibility.[607] The Cabinet Secretary made a commitment to "*see what they can do*" to raise the age of criminal responsibility before May 2016[608] and the *Preventing Offending Strategy* published in June 2015 notes the minimum age of criminal responsibility "*remains under active consideration*."[609] Despite these commitments, no progress has been made. Raising the age of criminal responsibility in line with international best practice is strongly supported by children's organisations.[610] This would lead to an increased emphasis on addressing the specific needs of children within the justice system which can often include issues such as neglect or abusive treatment.

> *Recommendation 99.* **Scottish Government should raise the age of criminal responsibility in line with international best practice.**

Juvenile Justice (Article 40, Article 37)

There has been a consistent and downward trajectory in the number of children involved in offending behaviour since 2008/09 with offending by children falling by almost half (45%) in this period.[611] Despite this, 23,726 children (4.7% of all those aged eight to 17) were involved in offending behaviour and were charged with around 43,117 crimes.[612] This reduction is likely to be a result of a complex mix of policy, practice, societal and individual factors. However, it is clear that government policy and practice is a contributory factor, such as the introduction of Early and Effective Intervention processes that divert young people from formal systems.[613]

Support for punitive, enforcement-led approaches amongst children is low.[614] The most effective youth justice interventions are considered to be those that take account of the individual, social and economic contexts in which antisocial behaviour and crime take place. The most valued interventions were those that allowed respectful interactions with youth justice professionals to be developed.[615] The Whole System Approach (WSA) to Juvenile Justice identifies at the earliest opportunity when children are in trouble and ensures systems and processes are in place to appropriately meet need and address risks and concerns.[616]

The Children's Hearing System is the first formal system that children involved in offending are likely to encounter. Children are referred to the Reporter under the provisions of the *Children's Hearing's (Scotland) Act 2011* if it is believed that a compulsory supervision order may be necessary for the "*protection, guidance, treatment or control*" of the child. Anyone can refer a child to the Reporter and referrals come from five main sources – the police, social work, education, health and parent(s)/ relevant person(s).[617] There has been a continuous fall in referrals to the Reporter for both offending and care and protection, with referrals on offence grounds experiencing an especially dramatic decline. Between April 2012 and March 2013, 3,636 children aged between eight to 17 years old were referred to the Reporter on offence grounds, a fall of 78% from 2006-07.[618] The total number of offences committed by children has also reduced significantly from 34,216 offences in 2003/4 to 8,824 offences in 2012/13.[619]

Whilst there has been progress with regards to juvenile justice, a number of child rights issues remain: Criminal convictions incurred by children continue to affect their life chances into adulthood when seeking to secure employment and training opportunities. The rehabilitation period for almost all sentences is halved if the individual was aged under 18 at the time of conviction. This means that a child who receives a community order is deemed *"rehabilitated"* after a period of two-and-a-half years, with the period until a conviction becomes *"spent"* set at three-and-a-half years for a custodial sentence of less than six months and five years for a custodial sentence of between six months and two-and-a-half years.[620] When a child accepts *"offence grounds"* at a Children's Hearing, these are treated as convictions in terms of the *Rehabilitation of Offenders Act 1974*. This results in many vulnerable children carrying convictions with them well into adulthood, potentially adding to their social exclusion and preventing them from accessing meaningful opportunities. Efforts to reform the existing system are in motion but have now spanned several years and are yet to come into force.[621] The delay stems in part from debates about how to effectively address offences committed by children which, owing to their nature and severity, make subsequent disclosure desirable.[622]

> *Recommendation 100.*   **Ensure that children's life chances are not hindered by requirements to disclose criminal convictions.**

Children under the age of 16 years are usually referred to the Children's Reporter whereas children over the age of 16 years are normally dealt with by the Procurator Fiscal.[623] The overarching principle influencing this decision is whether it is seen to be in the public interest to prosecute the child. Current government policy advises that when a young person does appear at court, all options as an alternative to secure care and custody should be explored and that custody should be a last resort. All children who commit offences should be dealt with in a non-adversarial system with a strong welfare orientation. There have been calls for steps to be taken to enable all children under the age of 18 to be referred to the Children's Reporter.

> *Recommendation 101.*   **Ensure all children in conflict with the law can be dealt with within the juvenile justice system and never tried as adults.**

Scottish Government is clear that custody, whether in secure care or the prison estate, should be an option of last resort for children.[624] The Scottish Prisons Commission has recommended a reduction in the use of remand custody, and to detain children aged 16 and 17 separately from both adults and those under the age of 16.[625] However, children continue to be placed in custody and their placements tend to be influenced by cost, rather than need and vulnerability. [626] This results in children being placed in Young Offenders Institutes rather than in secure care. Although there is a strong commitment to improve outcomes for all children in custody[627], custody remains a far from ideal environment for any child and alternatives must be sought.

> *Recommendation 102.*   **Ensure that children are only deprived of their liberty as a "last resort". When deprived of liberty, children must be held in age-appropriate facilities and not in Young Offender Institutions.**

--- Page 41 ---
UK Implementation of the Convention on the Rights of the Child
NGO alternative report to the Committee on the Rights of the Child – SCOTLAND
Together (Scottish Alliance for Children's Rights)   July 2015

Sexual exploitation and abuse (Article 34)

There are widespread concerns around systematic child exploitation.[628] [629] Police Scotland recorded more than 700 offences against young children in 2012/13. Since April 2013, 283 people have been charged with offences linked to online activity.[630] The greatest risk of sexual exploitation comes from people who are known to children in positions of trust, including within families, schools and leisure organisations.[631] A lack of research and the difficulty of gathering data makes it difficult to assess the full extent of child sexual exploitation.[632] There is little evidence on the views and experiences of children in this area[633] although the critical importance of peer support for victims has been recognised.[634] Research indicates a lack of understanding about different forms of abuse and the continued taboo nature of sexual abuse in Minority Ethnic communities.[635]

The Scottish Child Sexual Exploitation Ministerial Working Group is looking at how to improve understanding of the prevalence of child sexual exploitation and how best to support child victims.[636] Following a Scottish Parliament inquiry,[637] Scottish Government published a National Action Plan to tackle child sexual exploitation in 2014.[638] New guidance has been issued to police officers and staff to ensure a consistent response to children who may be vulnerable to child sexual exploitation[639] and a new national task force is to be set up to tackle child sexual exploitation. The Police Scotland National Child Abuse Investigation Unit will aim to improve co-ordination and intelligence gathering across agencies.

SCCYP has highlighted the need for cohesion in the complex policy environment and has called for over-arching strategic thinking in order to align existing legislation, strategies and guidance around child protection, sexual abuse, sexual and reproductive health and rights, internet safety, violence against women and trafficking.[640]

Recommendation 103.	*Initiatives to tackle child sexual exploitation, trafficking, violence against women, child protection and other related areas must be linked to ensure a coherent route through which children can be identified and supported.*
Recommendation 104.	*Children who experience any form of child sexual abuse should receive appropriate counselling and therapy as a priority.*
Recommendation 105.	*Adequate information sharing and multi-agency working practices should be established to protect children from child sexual abuse including child sexual exploitation.*
Recommendation 106.	*UK Government should ratify the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse.*

Sale, trafficking and abduction of children (Article 11, Article 35, Article 36, Article 39)

In February 2009, UK Government signed the Optional Protocol to the UNCRC on the sale of children, child prostitution and child pornography. The SGS has identified nearly a third of the children it works with as having indicators of trafficking. The Children's Commissioner has urged Scottish Government to tackle human trafficking and modern slavery more effectively through a consistent, coordinated and integrated manner.[641] Although there is a growing body of research on child trafficking, there is little that takes account of the views and experiences of children.[642] Scottish Government has commissioned welcome research into the scale and nature of child sexual exploitation and how child trafficking relates to this.[643]

Despite some progress and positive examples of good practice, there are concerns that child trafficking can be viewed as a subcategory of human trafficking and specific responses for children can be lost amongst the focus on adult victims. A dedicated *Human Trafficking (Scotland) Bill* is currently going through the Parliamentary process.[644] This must fully embed a child-rights approach and have the best interests of children affected by trafficking at its core as well as comply with international standards including the UNCRC, its Optional Protocol on the sale of children, and the EU Human Trafficking Directive.[645] [646]

Recommendation 107.	*Ensure the Human Trafficking (Scotland) Bill and other related child protection legislation and national strategies are underpinned by the UNCRC and the Optional Protocol on the Sale of Children and are in accordance with the Optional Protocol and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (the Palermo Protocol).[647]*
Recommendation 108.	*Fully embed the identification and support for child trafficking victims into existing child protection processes.*
Recommendation 109.	*Strengthen the capacity of law-enforcement authorities and the judiciary to detect and prosecute the trafficking of children*

Summary of recommendations

General measures of implementation

Domestic legislation in line with UNCRC

1. UK and Scottish Governments should fully incorporate the UNCRC and its protocols into domestic legislation.

2. UK Government should sign and ratify the Third Optional Protocol to the UNCRC on a Communications Procedure with immediate effect.

3. A UK-wide examination of the impact of devolution on the protection and promotion of human rights should be undertaken.

4. UK Government should ensure that the devolved nations are fully involved and consulted in any proposed changes to UK-wide human rights legislation and there should be no lessening of protection of children's rights in law.

5. Scottish Government should ensure steps to reflect the UNCRC in legislation are embedded into the culture, policy and practice of all those working with and for children. The extent to which provisions relating to the UNCRC make a meaningful difference to children's experiences of their rights should be monitored and evaluated on an ongoing basis.

6. UK and Scottish Governments should be required by legislation to carry out child rights impact assessments as a matter of routine. Impact assessments should be made accessible and understandable to enable scrutiny by civil society and children.

7. UK and Scottish Government should ensure all local and national decisions on resource allocation are carried out so as to prioritise the rights of children. Particular attention must be given to children living in poverty or at risk of social exclusion.

8. Scottish Government should ensure all children have access to confidential and independent legal aid and assistance. This should include funding for specialist services for vulnerable children, including migrant and looked after children.

9. Scotland's Commissioner for Children and Young People should have adequate human and financial resources and capacity to carry out the mandate of the office, and ensure the rights of all children in Scotland are respected, protected and fulfilled.

UNCRC reporting

10.   UK and Scottish Governments should put in a place a formal mechanism that ensures Scotland and the devolved nations are routinely and comprehensively involved in UNCRC reporting. This should be established with the involvement of governments, national human rights institutions and civil society and should ensure clear representation of distinct Scottish and other devolved issues within the UK Periodic Report.

11.   Representatives from Scotland and the other devolved nations should be included in delegations to the UN as a matter of routine.

12.   UK and Scottish Government should put in place action plans to support UNCRC implementation that are informed by the views and experiences of children and contain clear, resourced and time-specific actions alongside a clear and robust monitoring framework.

Dissemination, training and awareness-raising

13.   Scottish Government should prepare a comprehensive strategy that encompasses and coordinates activities undertaken to ensure that all of the provisions of the UNCRC are widely known and understood by adults and children, across government, local authorities, public bodies, businesses and at a local community level.

Cooperation with civil society

14.   Scottish Ministers should be supported and held to account on UNCRC implementation through the Scottish Children's Rights Monitoring Group.

General Principles

Protecting children from discrimination

15.   UK and Scottish Governments should ensure children have equal legislative protection from age discrimination. Further steps should be taken to combat gender stereotypes and address discrimination experienced by particular groups of children, including disabled children, minority ethnic children, Gypsy/Traveller children, children affected by HIV and LGBT young people.

Promoting the best interests of the child

16.   The best interests of the child should be a primary consideration in all legislative and judicial decisions concerning children, except where a higher standard already applies.

Right to life, survival and development

17.   Scottish Government should address the most common causes of mortality in children and undertake measures to reduce them.

18.   Scottish Government should create a centralised database of significant case reviews of looked after children and care leavers to analyse trends and provide an evidence base through which to influence policy and practice.

Respect for the views of the child

19.   Scottish Government should put in place a clear strategy and implementation plan, informed by the views of children, to ensure that their voices are considered and taken into account in the development of policy that affects them in a coherent and systematic manner.

Civil rights and freedoms

Freedom of thought, conscience and religion

20.   UK and Scottish Government should assess measures taken to counter terrorism in terms of their impact on children's rights. Measures should be developed in collaboration with those children most likely to be affected and be monitored, evaluated and reviewed on an ongoing basis.

21.   16 and 17 year olds should be given the right to vote in all elections and referenda in the UK.

22.   The Scottish and UK governments should further harness and encourage the political engagement of children. This should include encouraging democratic engagement in schools and other community learning settings, and ensuring the involvement of more vulnerable and isolated groups of children.

Freedom of peaceful assembly

23.   Scottish Government should ban the use of mosquito devices immediately.

24.   Scottish Government should undertake an independent review on the use of ASBOs on children and consider their replacement with non-punitive measures.

25.   Scottish Government should collate statistics on the application of ASBOs centrally.

26.   Scottish Government should legislate to abolish the use of non-statutory stop and search for all children.

27.   Statutory stop and searches should be used as a last resort rather than a routine tactic, and be effectively regulated within a strengthened legal framework.

28.   Scottish Government should ensure that the use of stop and search on children is proportionate to the age-distribution of related offending.

29.   Police Scotland and the Scottish Police Authority should take steps to improve accountability and transparency for stop and search, and ensure that detailed statistics, disaggregated by age (and other key factors), are made openly available. These statistics should be accredited by the UK Statistics Authority.

Protection of privacy

30.   Scottish Government should review and evidence how information sharing legislation and practice complies with Article 16 UNCRC and Article 8 ECHR and develop clear guidance and training on the circumstances in which information should be shared.

31.   Systems should be put in place at a local level to ensure children's information is processed securely, accurately and in the best interests of the child.

32.   Scottish Government should ensure all children are better informed about their right to online safety and privacy, and how to stay safe online.

Violence, abuse and neglect

33.   Scottish Government should ensure children have the same protection as adults from violence by repealing the defence of "justifiable assault" with immediate effect.

34.   Positive parenting approaches to discipline should be promoted, alongside professional training in positive childrearing.

35.   Scottish Government should ensure that restraint against children is only used as a last resort and exclusively to prevent harm to the child or others.

36.   Scottish Government should introduce a robust and comprehensive national recording system to provide consistency in monitoring the use of restraint across all settings.

Family environment and alternative care

Parental responsibilities and state's assistance

37.   Scottish Government should ensure that affordable, flexible and high quality childcare is available to all families, focusing particularly on provision for those with low income, living in rural areas, parents with atypical work patterns and families with disabled children.

38.   Scottish Government should ensure that positive parenting strategies and programmes are sufficiently resourced to equip parents with alternative forms of behaviour management techniques.

39.   Scottish Government should ensure that all young carers are identified as early as possible, that they receive appropriate support throughout school and in the community, and particularly during the transition to adulthood. Universal approaches to support children's wellbeing should recognise, identify and provide the necessary support for young carers.

40.   Local young carers strategies should be established across all local authorities, and be developed, monitored and evaluated by young carers. Local authorities should record and report on the identification of young carers in their area.

Violence, abuse and neglect

41.   Children's views and experiences should be heard and taken into account in development of all measures to combat all forms of violence, abuse and neglect.

42.   Domestic abuse should be recognised as a child rights issue in legislation, policy and practice.

43.   Sufficient funding and resources should be made available across national and local government to protect children from the effects of domestic violence, focusing on prevention.

44.   All those who take children's views in decisions on contact should be trained on the dynamics of domestic abuse and in the benefits of participation for children, and given materials to support participation in practice.

45.   Children involved in contact decisions and court procedures should have consistent access to high quality independent advocacy and to the full range of therapeutic interventions available.

46.   UK Government should ratify the Council of Europe Convention on preventing and combating violence against women and domestic violence (the "Istanbul Convention").

Looked after children

47.   All children with care experience should have the opportunity to participate meaningfully in their care plans, which must be timely, flexible and recognise the needs of the individual child.

48.   Scottish Government should ensure there is nationally collected data on the numbers of disabled children in care.

49.   Looked after children should have consistent access to high quality independent advocacy to ensure their participation in decisions affecting them.

50.   Relevant authorities (such as corporate parents) should provide adequate services for looked after children, including education support and CAMHS.

51. The initiation of contact proceedings should be facilitated for all children and reflect their particular needs, including for those in long-term residential care.

52. Young careleavers should be actively involved in all stages of preparing, planning and evaluating their throughcare and aftercare support.

53. Scottish Government should ensure that all kinship care families are provided with appropriate support (including financial) to meet the needs of children and their carers.

Foster care and adoption

54. Scottish Government should ensure that children with care experience are included in decisions regarding all aspects of their care. Improvements in care services should be shaped by the views of children and by evidenced outcomes.

Children affected by imprisonment

55. Child Rights Impact Assessments should be undertaken during arrest, sentencing and conviction of a parent or carer, making sure that the children's best interests are a primary consideration at all stages.

56. Children affected by imprisonment should be effectively identified and data collected so their needs are met. Professionals working with children should receive training and guidance on how to identify children affected by imprisonment of a family member.

57. Scottish Government should commit statutory, sufficient and sustainable funding for a Prison Visitors' Centre in every prison, recognising the multiple positive impacts that they have on children and families affected by imprisonment.

Children with parents or siblings in the Armed Forces

58. UK and Scottish Government should determine how many children are affected by a family member in the Armed Forces and ensure that the views of this group of children are gathered to help ensure that their needs are met.

Basic health and welfare

Health and health services

59. Health inequalities should be addressed through a coordinated approach across UK and devolved Governments, across government departments, and in response to children's views. This approach should reduce income inequality and poverty, be focused on the early years and include targeted measures to tackle the barriers to healthcare experienced by particularly vulnerable groups of children of all ages.

Early identification programmes

60.   The effectiveness of early identification programmes should be assessed through national monitoring and evaluation strategies which are designed to support shared learning and continuous improvement at national and local level, and ensure the best use of resources in terms of effective outcomes.

61.   Health visiting services should be adequately and sustainably funded, and the number of suitably trained health visitors should be monitored and assessed to ensure that every family has access.

Breastfeeding

62.   Assess why there has not been a significant increase in the rate of breastfeeding. Provide adequate resources to further promote breastfeeding, focusing efforts to support families living in the most deprived areas.

Disabled children

63.   Take all possible steps to ensure that disabled children receive the support necessary to meet their needs. Spending decisions must be assessed on evidence that they will not have a detrimental impact on disabled children.

64.   Local and national governments should undertake CRIAs on the draft Disability Delivery plan to ensure they proactively consider and promote the rights of disabled children, and take account of their experiences.

65.   Scottish Government should evidence how the views of disabled children are taken into account in the development of government strategies, policies and programmes and evaluate the influence these views have had.

66.   Ensure that training for professionals working with children includes the development of skills and competencies to support the needs of disabled children.

67.   The Scottish Goverment should ensure accessible and child-friendly guidance to support the effective participation of disabled children in decisions affecting them is made widely available to children and practitioners .

68.   Target resources at ensuring disabled children are able to overcome social isolation and establish and maintain friendships.

69.   Legislation and policy relating to transitions must be coordinated to ensure planning involves children at all stages, is coordinated across all services (including health, education and social care) and continues up to age 25.

70.   Ensure young people undergoing transitions are involved in the design of services and have access to advice and information regarding options available.

Mental Health

71.   Invest in universal preventative and early intervention children's services to prevent an increase in mental ill health among children.

72.   Ensure new funding for mental health is sustained and focused on children and particularly directed at those who are most at risk, including children with a disability, looked after children, children living in poverty, LGBTI children and children with additional support needs. Invest sufficient resources in CAMHS to meet the needs of all children requiring support in a timely and effective manner.

Adolescent health services

73.   Ensure a multi-agency approach is taken to improve the provision of sexual health services that recognises wider health inequalities and is informed by the views and experiences of young people.

Adequate standard of living

74.   UK Government should commit to making the elimination of child poverty a national priority and develop, fund and implement a plan to reduce the number of children in poverty year on year for the next 5 years. This should include helping parents bring home a decent income, strengthening universal credit, reducing demand for foodbanks and protecting families from rising living costs.

75.   Scottish Government should provide sufficient resources to effectively take forward, monitor and evaluate Scotland's child poverty strategy and report annually on progress against key elements.

76.   Local authorities should produce child poverty strategies consistently and in coordination with local service planning and budgets. Progress at local level should be supported and driven by clear measures, timescales and lines of accountability that are effectively supported, monitored and evaluated.

Taxation and social security

77.   Children's right to an adequate standard of living should not be negatively impacted upon as a result of welfare reform. Benefits sanctions should not be applied in a manner which discriminates against families including children from particular groups, such as children with a disability, children in single parent families and children in larger families.

Gypsy/Traveller sites

78.   Strengthen efforts to remove stigma and discrimination for Gypsy/Traveller communities and reintroduce a statutory duty for local authorities to provide safe and adequate sites for Gypsy/Travellers.

79.   Ensure that mechanisms are in place to ensure that Gypsy/Traveller communities can meaningfully participate in planning and decision-making processes.

Education, leisure and cultural activities

Education, including vocational training and guidance and the aims of education

80.   UK and Scottish Governments should coordinate efforts to reduce the socio-economic effects on education with wider efforts to remove socio-economic inequality.

81.   Intensify efforts to tackle the educational attainment gap, focusing on the early years, on parents' engagement and improving the home learning environment. Ensure the views and experiences of children are used by government officials, school leaders, teachers and other key stakeholders to inform and identify the practical support needed by the children they work with.

82.   Improve data collection, research and evaluation for schools and local authorities to draw on to inform their approaches to tackle the attainment gap and inform professional development. This should include national mapping and scrunity of specific services including speech and launguage therapy, classroom assistants and educational psychologists.

83.   Ensure there is integration of preventative and response strategies with clearer and explicit strategies to tackle and prevent prejudice-based bullying and online bullying behaviours.

84.   Ensure consistent and robust recording and monitoring of bullying behaviour, both in person and online, across all local authorities.

85.   Undertake research nationally on prejudice-based bullying with children on their identification and/or attitudes to provide insight into how prejudice functions.

86.   Provide adequate resources to help reduce bullying and promote children's safety online.

87.   Enhance dialogue, power sharing, and decision-making within schools with all pupils. Ensure purposeful, participatory opportunities for all pupils in all areas of school life.

88.   Place greater emphasis on educational inclusion, by offering school based alternatives to exclusion and putting in place multi-agency training to increase awareness and application of an inclusive education approach.

89.   Ensure the disciplinary measure of permanent or temporary exclusion is used as a means of

last resort only, and that "informal" and illegal exclusions do not occur. Ensure alternative educational provision for excluded pupils begins promptly after exclusion and is of a high quality.

90.   Ensure that children have the right to appeal against their exclusion, with legal advice, assistance and representation provided for those without means. This should include the right to appeal to special educational needs tribunals.

91.   Ensure accurate reporting on all school exclusions and ensure information gathered is used to assess improved educational and personal outcomes.

Play, leisure and cultural activities

92.   Focus resources on ensuring vulnerable groups, including disabled children and children living in more deprived areas, have access to safe and inclusive play, leisure and cultural activities. Coordinate and implement efforts to further Article 31 in a consistent and integrated way and ensure policies are sufficiently and sustainably resourced, monitored and reviewed to measure progress.

Relationships and sexuality education

93.   Implement reproductive health education consistently and effectively, whilst recognising children's right to privacy under Article 16. This should take into account children who are not in school, the multiple issues and influencing factors (such as social skills, values, attitudes, family support, employability, self-esteem) and the need for age and stage appropriate learning within a coordinated long-term approach.

Special protection measures

Asylum seeking and migrant children

94.   Determine the number of destitute asylum seekers and migrants by requesting local authority immigration social work teams to report on the number and situation of the destitute children and families they support.

95.   Ensure all children – regardless of their or their parents' immigration status – have equal access to primary, secondary and further education, and to primary and secondary healthcare.

96.   End the detention of asylum seeking and migrant children.

97.   Guarantee that all unaccompanied asylum seeking and trafficked children enjoy early and effective access to specialist legal representation.

98.   Ensure a multi-agency approach is taken to age assessment which includes a streamlined process of judicially determining a child's age.

Age of criminal responsibility

99.   Scottish Government should raise the age of criminal responsibility in line with international best practice.

Juvenile Justice

100.   Ensure that children's life chances are not hindered by requirements to disclose criminal convictions.

101.   Ensure all children in conflict with the law can be dealt with within the juvenile justice system and never tried as adults.

102.   Ensure that children are only deprived of their liberty as a "last resort". When deprived of liberty, children must be held in age-appropriate facilities and not in Young Offender Institutions.

Sexual exploitation and abuse

103.   Initiatives to tackle child sexual exploitation, trafficking, violence against women, child protection and other related areas must be linked to ensure a coherent route through which children can be identified and supported.

104.   Children who experience any form of child sexual abuse should receive appropriate counselling and therapy as a priority.

105.   Adequate information sharing and multi-agency working practices should be established to protect children from child sexual abuse including child sexual exploitation.

106.   UK Government should ratify the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse.

Sale, trafficking and abduction of children

107.   Ensure the Human Trafficking (Scotland) Bill and other related child protection legislation and national strategies are underpinned by the UNCRC and the Optional Protocol on the Sale of Children and are in accordance with the Optional Protocol and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (the Palermo Protocol).

108.   Fully embed the identification and support for child trafficking victims into existing child protection processes.

109.   Strengthen the capacity of law-enforcement authorities and the judiciary to detect and prosecute the trafficking of children

Endnotes

1 SHANARRI is the abbreviation used when referring to the eight wellbeing areas which sit within the GIRFEC approach (see reference 251). These eight wellbeing areas are: Safe, Healthy, Achieving, Nurtured, Active, Respected, Responsible and Included. Scottish Government states that these are the basic requirements for all children and young people to grow and develop and reach their full potential. See: http://www.gov.scot/Topics/People/Young-People/gettingitright/well-being [Date accessed: 29.6.15]

2 Scottish Government (2013). The 5th UK Government Report to the UN Committee on the Rights of the Child Scottish Government Submission and UK Government. Page 9. http://www.gov.scot/Resource/0042/00426765.pdf [Date accessed: 17.6.15]

3 Young Scot (2011) conducted an on-line inquiry and three workshops with different needs groups. Fifty eight per cent of young people felt that the UNCRC should be given more force in Scots law. It was considered that 'due regard' for the UNCRC would not go far enough in promoting and protecting children's rights, with many arguing that the UNCRC should be fully incorporated. Workshops undertaken by the Children's Parliament (2012) also found support for incorporating the UNCRC into law. The consultation undertaken for SYP's Youth Manifesto, which gathered 42,804 responses, also demonstrated support for action. Eighty five per cent of young people supported the statement 'young people are entitled to as much protection of their human rights as the law can give them'. Consultation on the Children and Young People Bill by Young Scot and SYP (2012) involved a national survey with 1,445 respondents. Over 60% agreed that Scottish Government should be required by law to make sure that children and young people are aware of the rights given to them by the UNCRC.   See: Elsley, S. et al. (2013). Children and young people's experiences of, and views on, issues relating to the implementation of the United Nations Convention on the Rights of the Child. http://www.gov.scot/Resource/0042/00427287.pdf [Date accessed 26.5.15]

4 Scottish Parliament (2013). Official Report: Meeting of the Parliament. 24792. http://www.scottish.parliament.uk/parliamentarybusiness/report.aspx?r=9466&mode=pdf [Date accessed: 19.6.15]

5 Scottish Parliament (2013). Education and Culture Committee: Children and Young People (Scotland) Bill (stage 1): Aileen Campbell MSP, Minister for Children and Young People. Official Report, 8 October 2013, Col. 2948 http://www.scottish.parliament.uk/parliamentarybusiness/28862.aspx?r=9319&mode=pdf [Date accessed: 25.6.15] and

Scottish Parliament (2013). Education and Culture Committee: Children and Young People (Scotland) Bill (stage 1): Aileen Campbell MSP, Minister for Children and Young People. Official Report, 17 December 2013, Col. 3153f. http://www.scottish.parliament.uk/parliamentarybusiness/28862.aspx?r=8887&mode=pdf [Date accessed: 25.6.15]

6 UK Parliament (2015). The UK's compliance with the UN Convention on the Rights of the Child. http://www.publications.parliament.uk/pa/jt201415/jtselect/jtrights/144/144.pdf [Date accessed: 22.6.15]

7 UKSC (2015). R (SG & Ors) v Secretary of State for Work and Pensions [2015] UKSC 16. http://ukscblog.com/new-judgment-r-sg-ors-v-secretary-of-state-for-work-and-pensions-2015-uksc-16/ [Date accessed 17.6.15]

8 The benefits cap is a limit on the total amount of certain benefits someone can get if they are working age. The Benefit Cap will affect someone if they receive Housing Benefit or Universal Credit. The total amount someone can claim in benefits is currently: £500 per week for single parents and couples with children, and £350 per week for single people. See: http://cpag.org.uk/category/keywords/benefit-cap [Date accessed: 26.6.15]

9 UK Government (2014). Fifth Periodic Report to the UN Committee on the Rights of the Child. Page 7. http://tbinternet.ohchr.org/Treaties/CRC/Shared%20Documents/GBR/CRC_C_GBR_5_6749_E.docx [Date accessed: 17.6.15]

10 Scottish Government (2013). The 5th UK Government Report to the UN Committee on the Rights of the Child Scottish Government Submission. http://www.gov.scot/Resource/0042/00426765.pdf [Date accessed: 17.6.15]

11 UK Parliament (2015). The UK's compliance with the UN Convention on the Rights of the Child. http://www.publications.parliament.uk/pa/jt201415/jtselect/jtrights/144/144.pdf [Date accessed: 22.6.15]

12 UK Government (2013). 2010 to 2015 Government Policy: Equality. http://www.education.gov.uk/childrenandyoungpeople/healthandwellbeing/b0074766/uncrc [Date accessed:26.5.15]

13 UK Government has announced a consultation on proposals to replace the Human Rights Act with a British Bill of Rights (see Her Majesty's most gracious speech to both Houses of Parliament at the State Opening of Parliament 2015 at https://www.gov.uk/government/speeches/queens-speech-2015 [accessed 23.6.15]). The Conservative Party has a manifesto commitment to 'break the formal link between British courts and the European Court of Human Rights'. (See https://www.conservatives.com/manifesto p.60 [accessed 23.6.2015].

14 UK Parliament (2015). The UK's compliance with the UN Convention on the Rights of the Child. http://www.publications.parliament.uk/pa/jt201415/jtselect/jtrights/144/144.pdf [Date accessed: 22.6.15]

15 Scottish Government (2014). Human Rights Act must stay. http://news.scotland.gov.uk/News/Human-Rights-Act-must-stay-10d4.aspx and Scottish Government (2015). Shared Commitment to Human Rights Act. http://news.scotland.gov.uk/News/Shared-commitment-to-Human-Rights-Act-1562.aspx [Date accessed: 26.5.15]

16 Scottish Government (2014). Children and Young People (Scotland) Act 2014. http://www.legislation.gov.uk/asp/2014/8/contents/enacted [Date accessed: 17.6.15]

17 Scottish Government (2013). The 5th UK Government Report to the UN Committee on the Rights of the Child Scottish Government Submission. Paragraph 11. http://www.gov.scot/Resource/0042/00426765.pdf [Date accessed: 17.6.15]

18 Scottish Government (2014). Children and Young People (Scotland) Act 2014. Part 1. http://www.legislation.gov.uk/asp/2014/8/contents/enacted [Date accessed: 17.6.15]

19 A majority of respondents (64%) to Young Scot and Scottish Youth Parliament's national survey answered 'yes' to the statement 'Do you think that public bodies in a local area should be required by law to work together to ensure that children and young people's wellbeing is improved?' Despite this only just over half agreed that 'public bodies should be required to put together and publish reports on how they're making sure that they're taking into account children and young people's wellbeing when delivering services'. Almost one in five (17%) had a more pessimistic response, arguing that such reporting would make no difference.   See: Young Scot and Scottish Youth Parliament (2012). Scottish Government Children and Young People Bill Young People's Consultation. http://www.childrensparliament.org.uk/assets/childrens-bill/Children-and-Young-People-Bill-Young-People-Consultation-Final-Report.pdf [Date accessed: 15.6.15]

20 Children's Parliament (2012). How does your garden grow? http://www.childrensparliament.org.uk/assets/childrens-bill/CP-How-does-your-garden-grow-C+YP-Bill.pdf [Date accessed: 19.6.15]

21 Scottish Government (2013). The 5th UK Government Report to the UN Committee on the Rights of the Child Scottish Government Submission. Paragraph 11, page 9. http://www.gov.scot/Resource/0042/00426765.pdf [Date accessed: 17.6.15]

22 Together (2015). Consultation inviting views on Draft Statutory Guidance on Parts 18, Section 96 (Wellbeing) 4 (Named Person), and 5 (Child's Plan) of the CYP Act and draft Orders made under Parts 4 and 5. http://www.togetherscotland.org.uk/pdfs/Together_Part_4_5_18_guidance_response_final.pdf [Date accessed: 19.6.15] Also see: For Scotland's Disabled Children (2015). http://www.fsdc.org.uk/assets/files/fSDC-CYP-Response-Apr-15.pdf [Date accessed: 19.6.15]

23 Scottish Government (2015). Analysis of Responses to the Consultation on Draft Statutory Guidance for Parts 4, 5 & 18 (Section 96) of the Children and Young People (Scotland) Act 2014. Page 2. http://www.gov.scot/Resource/0048/00480572.pdf [Date accessed: 30.6.15]

24 UK Government (2013). Fifth Periodic Report to the UN Committee on the Rights of the Child. Page 10. http://tbinternet.ohchr.org/Treaties/CRC/Shared%20Documents/GBR/CRC_C_GBR_5_6749_E.docx [Date accessed: 17.6.15]

UK Implementation of the Convention on the Rights of the Child
NGO alternative report to the Committee on the Rights of the Child – SCOTLAND
Together (Scottish Alliance for Children's Rights)   July 2015

25 Scottish Government (2009). Do the Right Thing. http://www.gov.scot/Resource/Doc/282927/0085645.pdf [Date accessed 26.5.15]

26 UK Government (2013). Fifth Periodic Report to the UN Committee on the Rights of the Child. Page 10. http://tbinternet.ohchr.org/Treaties/CRC/Shared%20Documents/GBR/CRC_C_GBR_5_6749_E.docx [Date accessed: 17.6.15]

27 Save the Children (2011). Governance fit for children. Page 50. http://www.savethechildren.org.uk/sites/default/files/docs/Governance_Fit_for_Children%281%29_1.pdf [Date accessed: 17.6.15]

28 Scottish Government (2014). Draft budgets for 2015-16. http://www.gov.scot/Publications/2014/10/2706/0 [Date accessed: 26.5.15]

29 Scottish Government provides Scotland's 32 Local Authorities with the vast majority of their funding by means of a block grant, as part of the joint service delivery relationship between Scottish Government and local authorities established under the Concordat agreement, on 14 November 2007. It is updated as part of the agreement reached in the 2010 Spending Review and 2011 Spending Review to provide councils more control over their budget and the management of their services. Access the concordat here: http://www.gov.scot/Resource/Doc/923/0054147.pdf [Date accessed: 29.6.15]

30 Scottish Government (2013). The 5th UK Government Report to the UN Committee on the Rights of the Child Scottish Government Submission. Paragraph 41. http://www.gov.scot/Resource/0042/00426765.pdf [Date accessed: 17.6.15]

31 Save the Children (2011). Governance fit for children. Page 50. http://www.savethechildren.org.uk/sites/default/files/docs/Governance_Fit_for_Children%281%29_1.pdf [Date accessed: 17.6.15]

32 UK Government (2013). Fifth Periodic Report to the UN Committee on the Rights of the Child. Page 6. http://tbinternet.ohchr.org/Treaties/CRC/Shared%20Documents/GBR/CRC_C_GBR_5_6749_E.docx [Date accessed: 17.6.15]

33 NHS Health Scotland (2013). Making a bad situation worse? The impact of welfare reform and the economic recession on health and health inequalities in Scotland (baseline report). http://www.scotpho.org.uk/downloads/scotphoreports/scotpho131002_impactofwelfarereform_1.pdf [Date accessed: 17.6.15]

34 Scottish Government, (2014). The Impact of Welfare Reform in Scotland: Tracking Study. http://www.gov.scot/Resource/0044/00449882.pdf [Date accessed: 17.6.15]

35 Unison Scotland (2014). The cuts don't work: The impact of 'austerity' cuts on Scotland's public services. http://www.unison-scotland.org.uk/publicworks/TheCutsDontWork_UNISONScotlandReport_June2014.pdf [Date accessed: 26.5.15]

36 UK Parliament (2015). The UK's compliance with the UN Convention on the Rights of the Child. http://www.publications.parliament.uk/pa/jt201415/jtselect/jtrights/144/144.pdf [Date accessed: 22.6.15]

37 Together (2014). State of Children's Rights in Scotland. http://www.togetherscotland.org.uk/pdfs/SOCRRTogetherReport2014.pdf [Date accessed: 26.5.15]

38 Legal Services Agency (2014). An evaluation of the model, achievements and success factors of the Legal Services Agency Women and Young Persons' Department.   http://www.lsa.org.uk/docs/The%20Extra%20Mile%20-%20LSA%20Evaluation%20Report%20(2).pdf [Date accessed: 24.6.2015]

39 Scottish Government (2010). The Advice and Assistance (Scotland) Amendment Regulations 2010. http://www.slab.org.uk/common/documents/profession/mailshots/2011/AdviceandAssistance_Scotland_AmendmentRegulations2010-00.pdf [Date accessed: 26.5.15]

40 Together (2014). State of Children's Rights in Scotland. Page 17. http://www.togetherscotland.org.uk/pdfs/SOCRRTogetherReport2014.pdf [Date accessed: 26.5.15]

UK Implementation of the Convention on the Rights of the Child
NGO alternative report to the Committee on the Rights of the Child – SCOTLAND
Together (Scottish Alliance for Children's Rights)   July 2015

41 Clan Childlaw (2013). Legal Aid for Children and Young People.
http://www.clanchildlaw.org/app/uploads/2014/11/Legal-Assistance-for-Children-and-Young-People.pdf [Date accessed: 24.6.15]

42 Scotland's Commissioner for Children & Young People (2011). A Right Blether: What's important to you?
http://www.sccyp.org.uk/ufiles/Evaluation-of-a-Right-Blether.pdf [Date accessed: 26.5.15]

43 Scottish Government (2003). Commissioner for Children and Young People (Scotland) Act 2003.
http://www.legislation.gov.uk/asp/2003/17/contents [Date accessed: 17.6.15]

44 Scottish Government (2014). Children and Young People (Scotland) Act 2014. Part 2.
http://www.legislation.gov.uk/asp/2014/8/contents/enacted [Date accessed: 17.6.15]

45 A 'non-duplication requirement' is contained in section 7(2A) of the Commissioner for Children and Young People (Scotland) 2003 Act (as amended). Available at: http://www.legislation.gov.uk/asp/2003/17/contents [Date accessed: 22.6.15]

46 Scottish Youth Parliament (2012) A Scotland for Children – A Consultation on the Children and Young People Bill – Response from the SYP, http://www.syp.org.uk/img/consultations/Children%20and%20Young%20People %20Bill_SYP%20Response.pdf [Date accessed: 29.6.15]

Scottish Government (2013). Children and young people's experiences of, and view on, issues relating to the implementation of the United Nations Convention on the Rights of the Child. Paragraph 3.27.
http://www.gov.scot/Resource/0042/00427287.pdf [Date accessed: 17.6.15]

47 UK Government (2013). Fifth Periodic Report to the UN Committee on the Rights of the Child. Paragraph 19.
http://tbinternet.ohchr.org/Treaties/CRC/Shared%20Documents/GBR/CRC_C_GBR_5_6749_E.docx [Date accessed: 17.6.15]

48 UK Government (2013). Fifth Periodic Report to the UN Committee on the Rights of the Child.
http://tbinternet.ohchr.org/Treaties/CRC/Shared%20Documents/GBR/CRC_C_GBR_5_6749_E.docx [Date accessed: 17.6.15]

49 Together (2015). Submission to the UK Parliamentary Joint Committee on Human Rights Inquiry into the UK's compliance with the UN Convention on the Rights of the Child. http://www.togetherscotland.org.uk/pdfs/JCHR_09-03-2015.pdf [Date accessed 17.6.15]

50 Scottish Government (2009). Do the Right Thing. http://www.gov.scot/Resource/Doc/282927/0085645.pdf [Date accessed 26.5.15]

51 Office of the High Commissioner for Human Rights (2008). UN Committee on the Rights of the Child: Concluding observations: United Kingdom of Great Britain and Northern Ireland.
http://www2.ohchr.org/english/bodies/crc/docs/AdvanceVersions/CRC.C.GBR.CO.4.pdf [Date accessed: 24.6.15]

52 Scottish Government (2012). Do the Rights Thing: Progress report 2012.
http://www.scotland.gov.uk/Resource/0039/00392997.pdf [Date accessed: 26.5.15]

53 Together (2012). State of Children's Rights in Scotland.
http://www.togetherscotland.org.uk/pdfs/TogetherReport2012.pdf [Date accessed:15.6.15]

54 Scottish Government (2013). Children and young people's experiences of, and view on, issues relating to the implementation of the United Nations Convention on the Rights of the Child.
http://www.gov.scot/Resource/0042/00427287.pdf [Date accessed: 17.6.15]

55 Scottish Government (2013). Children and young people's experiences of, and view on, issues relating to the implementation of the United Nations Convention on the Rights of the Child. Page 9.
http://www.gov.scot/Resource/0042/00426765.pdf [Date accessed: 17.6.15]

56 Together (2014). State of Children's Rights Report. Page 13.
http://www.togetherscotland.org.uk/pdfs/SOCRRTogetherReport2014.pdf [Date accessed: 17.1.15]

UK Implementation of the Convention on the Rights of the Child
NGO alternative report to the Committee on the Rights of the Child – SCOTLAND
Together (Scottish Alliance for Children's Rights)   July 2015

57 Elsley, S. et al. (2013). *Children and Young People's experiences of, and views on, issues relating to the Implementations of the United Nations Convention on the Rights of the Child. Page 9.* http://www.gov.scot/Resource/0042/00426765.pdf [Date accessed: 17.6.15]

58 UK Government (2013). *Fifth Periodic Report to the UN Committee on the Rights of the Child. Paragraph 46.* http://tbinternet.ohchr.org/Treaties/CRC/Shared%20Documents/GBR/CRC_C_GBR_5_6749_E.docx [Date accessed: 17.6.15]

59 Elsley, S. et al. (2013). *Children and Young People's experiences of, and views on, issues relating to the Implementations of the United Nations Convention on the Rights of the Child. Paragraph 3.1 & 3.13.* http://www.gov.scot/Resource/0042/00427287.pdf [Date accessed: 17.6.15]

60 Elsley, S. et al. (2013). *Children and Young People's experiences of, and views on, issues relating to the Implementations of the United Nations Convention on the Rights of the Child. Paragraph 3.16.* http://www.gov.scot/Resource/0042/00427287.pdf [Date accessed: 17.6.15]

61 Together (2014). *State of Children's Rights in Scotland 2014.* http://www.togetherscotland.org.uk/pdfs/SOCRRTogetherReport2014.pdf [Date accessed: 17.6.15]

62 *This should include all sectors of society, from government officials, parliamentarians and the judiciary through to teachers, youth workers, health care workers, the police, the media and parents and carers, with the involvement of children at the core.* See: Together (2014). *State of Children's Rights in Scotland 2014.* http://www.togetherscotland.org.uk/pdfs/SOCRRTogetherReport2014.pdf [Date accessed: 17.6.15]

63 UK Government (2013). *Fifth Periodic Report to the UN Committee on the Rights of the Child. Page 13.* http://tbinternet.ohchr.org/Treaties/CRC/Shared%20Documents/GBR/CRC_C_GBR_5_6749_E.docx [Date accessed: 17.6.15]

64 *SCRIMG includes representatives from Scottish Government, Scotland's Commissioner for Children and Young People and Together. It was established to ensure a continuous and ongoing process of monitoring the implementation of the UNCRC. The purpose of SCRIMG is to share and discuss relevant information, to reach common understanding of progress and remaining gaps in implementation of the UNCRC, to highlight emerging issues and where possible, agree approaches and actions to address them.*
The group aims to meet around four times a year. See: http://www.togetherscotland.org.uk/resources-and-networks/scrimg/ [Date accessed: 17.6.15]

65 UK Government (2010). *Equality Act 2010.* http://www.legislation.gov.uk/ukpga/2010/15 [Date accessed: 29.6.15]

66 *Under the Equality Act 2010, UK Government excluded children and young people from the protection of anti-discrimination law in relation to age in the provision of goods, facilities and services and in the exercise of public functions.* See: UK Government (2010). *Equality Act 2010.* http://www.legislation.gov.uk/ukpga/2010/15/contents [Date accessed 17.1.15]

67 Children in Scotland (2010). *Age Discrimination Consultation Response.* http://www.childreninscotland.org.uk/docs/AgeDiscrimConsultation.pdf [Date accessed: 17.6.15]

68 *For more information on Scotland's Hate Crime legislation see:* http://www.gov.scot/Topics/Justice/policies/reducing-crime/tackling-hate-crime [Date accessed: 22.6.15]

69 *Gender stereotyping is prevalent from early years, with learned behaviours and expectations inscribed in girls and boys in the home, community and wider society.* See: Engender (2014). *Gender Equality and Scotland's Constitutional Futures.* http://www.engender.org.uk/content/publications/Gender-equality-and--Scotlands-constitutional-futures.pdf [Date accessed: 20.5.15]

70 Engender (2014). *Gender Equality and Scotland's Constitutional Futures.* http://www.engender.org.uk/content/publications/Gender-equality-and--Scotlands-constitutional-futures.pdf [Date accessed: 20.5.15]

71 *The Istanbul Convention requires that states eradicate gender stereotypes, making an explicit link between such stereotyping and violence against women and girls.*

UK Implementation of the Convention on the Rights of the Child
NGO alternative report to the Committee on the Rights of the Child – SCOTLAND
Together (Scottish Alliance for Children's Rights)   July 2015

72 Centre for Research on Families and Relationships (2011) Young People's attitudes about violence. https://www.era.lib.ed.ac.uk/bitstream/handle/1842/5613/briefing%2054.pdf;jsessionid=C32AD2076E4BBE317315932017 026196?sequence=1 [Date accessed: 22.6.15]

73 Waverley Care (2009). A cross sector needs assessment of children infected and affected by HIV in Scotland Report. http://www.waverleycare.org/wp-content/uploads/2015/03/I-want-to-be-like-the-others.pdf [Date accessed: 30.6.15]

74 LGBT Youth Scotland (2014). Life in Scotland for LGBT Young People: Safety. https://www.lgbtyouth.org.uk/files/documents/LGBTYS_Life_-_Safety2c_final.pdf [Date accessed: 20.5.15]

75 Lough Dennell, Brandi Lee and Caitlin Logan (2015). Life in Scotland for LGBT Young People: Community & Identity. LGBT Youth Scotland. https://www.lgbtyouth.org.uk/files/documents/Research_/LGBTYS_Life_-_Community_and_Identity_-_new_version.pdf

76 Equality and Human Rights Commission (2010). Gypsy Travellers in Scotland: A resource for the media. http://www.equalityhumanrights.com/sites/default/files/documents/Scotland/gypsy_travellers_in_scotland_-_a_resource_for_the_media__pdf_.pdf [Date accessed 20.5.15]

77 Article 12 undertook a 3-year review of Scottish media in relation to Gypsy/Travellers. See: Article 12 in Scotland (2014). Young Gypsy Travellers' Lives [YGTL]: Discrimination and On-Line Media. http://www.article12.org/wp-content/uploads/2014/12/YGTL-Media-Audit-Year-3_Final-.pdf [Date accessed: 20.5.15]

78 Article 12 in Scotland (2014). Young Gypsy Travellers' Lives [YGTL]: Discrimination and On-Line Media. http://www.article12.org/wp-content/uploads/2014/12/YGTL-Media-Audit-Year-3_Final-.pdf [Date accessed: 20.5.15]

79 Article 12 in Scotland (2012). Young Gypsy Travellers' Lives [YGTL]: Discrimination and On-Line Media. http://www.article12.org/wp-content/uploads/2014/12/A12_Media_Audit_Pilot_2012_Final.pdf [Date accessed: 20.5.15]

80 Article 12 in Scotland (2012). Awareness-raising/Conflict resolution workshops. http://www.step.education.ed.ac.uk/wp-content/uploads/InfoArticle12YGTL.pdf?phpMyAdmin=25644c053cf9e75454ed0055ea424327 [Date accessed: 20.5.15]

81 Elsley, S. et al. (2013). Children and Young People's experiences of, and views on, issues relating to the Implementations of the United Nations Convention on the Rights of the Child. http://www.gov.scot/Resource/0042/00427287.pdf [Date accessed: 27.6.15]

82 roshni (2015) Exploiting, Exploited: A National Discussion on Radicalisation and Child Sexual Exploitation. Forthcoming.

83 roshni (2015) Exploiting, Exploited: A National Discussion on Radicalisation and Child Sexual Exploitation. Forthcoming.

84 University of Glasgow (No Date). Bad News for Disabled People: How the newspapers are reporting disability. http://www.gla.ac.uk/media/media_214917_en.pdf [Date accessed: 25.6.15]

85 Centre for Longitudinal Studies. (2014) Research summary four: Are disabled children and young people at a higher risk of being bullied? http://www.cls.ioe.ac.uk/shared/get-file.ashx?itemtype=document&id=1878 [accessed 22.6.2015]

86 Scottish Government (2006). Family Law (Scotland) Act 2006. http://www.legislation.gov.uk/asp/2006/2/contents [Date accessed: 19.6.15]

87 Scottish Government (2007). Adoption and Children (Scotland) Act 2007. http://www.legislation.gov.uk/asp/2007/4/contents [Date accessed: 19.6.15]

88 Scottish Government (2011). Children's Hearing (Scotland) Act 2007. http://www.legislation.gov.uk/asp/2011/1/contents [Date accessed: 19.6.15]

89 Scottish Government (2013). Criminal Justice (Scotland) Bill. http://www.gov.scot/Topics/archive/law-order/criminaljusticebill [Date accessed: 20.5.15]

90 The Scottish Parliament (2013) Stage 1 Report on the Children and Young People (Scotland) Bill. Paragraph 44. http://www.scottish.parliament.uk/S4_EducationandCultureCommittee/Reports/edR-13-11w.pdf [Date accessed: 20.5.15]

91 Scottish Parliament (2013). Children and Young People (Scotland) Bill 1st Marshalled List of Amendments for Stage 2. Amendments 190 & 196. http://www.scottish.parliament.uk/S4_Bills/Children%20and%20Young%20People%20%28Scotland%29%20Bill/b27s4-stage2-ml1.pdf [Date accessed: 22.6.15]

UK Implementation of the Convention on the Rights of the Child
NGO alternative report to the Committee on the Rights of the Child – SCOTLAND
Together (Scottish Alliance for Children's Rights)   July 2015

92 *Scottish Parliament (2014). Official Report: Meeting of the Scottish Parliament: Wednesday 19th February 2014* http://www.scottish.parliament.uk/parliamentarybusiness/28862.aspx?r=9473&mode=pdf [Date accessed: 22.6.15]

93 *Royal College of Paediatrics and Child Health Scotland (2014). Why children die: death in infants, children and young people in the UK. A Policy Response For Scotland To The Report 'Why Children Die: Death In Infants, Children And Young People In The Uk – Part A'* http://www.rcpch.ac.uk/sites/default/files/page/Death%20in%20Children%20and%20Young%20People%20in%20the%20UK%20-%20Part%20D%20-%20FINAL.pdf [Date accessed: 30.6.15]

94 *Royal College of Paediatrics and Child Health, National Children's Bureau, British Association for Child and Adolescent Public Health (2014). Why children die: death in infants, children, and young people in the UK Part A: A report by Ingrid Wolfe Alison Macfarlane Angela Donkin Michael Marmot Russell Viner* http://www.ncb.org.uk/media/1130496/rcpch_ncb_may_2014_-_why_children_die__part_a.pdf [Date accessed: 29.6.15]

95 *Scottish Government (2012). Audit and Analysis of Significant Case Reviews.* http://www.gov.scot/Resource/0040/00404517.pdf [Date accessed: 20.5.15]

96 *Centre for Excellence for Looked After Children in Scotland (2013). Scotland's National Human Rights Action Plan: Getting it Right for Looked after Children, Young People and Care Leavers. Page 8.* http://www.celcis.org/media/resources/publications/Scotlands-National-Action-Plan-on-Human-Rights.pdf [Date Accessed 20.5.15]

97 *See Tisdall, E.K.M.(2012) The potential for children's rights in Scotland: learning from the UNICEF UK report on legal implementation of the UNCRC in 12 countries.* http://www.google.co.uk/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CCIQFjAA&url=http%3A%2F%2Fwww.research.ed.ac.uk%2Fportal%2Ffiles%2F8304039%2FUNCRC_incorporation_v4_UPDATED_4.2.12.doc&ei=vkuSVffXDqGC7ga42pe4Bg&usg=AFQjCNFhizoFbu1m8nd-5LUSYyk6PyA9Sg&bvm=bv.96783405,d.ZGU&cad=rja [Date accessed: 30.6.15]

98 *See: http://www.gov.scot/Topics/People/Young-People/families/youth-work-participation/youth-participation [Date accessed: 30.6.15]*

99 *Who Cares? Scotland, Aberlour & Barnardo's Scotland (2014). Getting it right for young people leaving care.* http://www.whocaresscotland.org/download/publications/f_52601896677ce/ [Date accessed: 20.5.15]

100 *Carers Trust (2013) Scottish Young Carers Festival report.* www.carers.org/sites/default/files/report_sycf.pdf [Date accessed 24.6.2015]

101 *Scottish Government (2014). Children and Young People (Scotland) Act. Part 1 (2).* http://www.legislation.gov.uk/asp/2014/8/section/1/enacted [Date accessed: 22.6.15]

102 *McCormack, M. (2014) Children and Young People (Scotland) Act: Reflections on the passage of the Act. Scottish Journal of Residential Child Care, 13 (1) 15 - 22.* http://www.celcis.org/media/resources/publications/2014_vol13_No1_mccormack_children_and_young.pdf [Date accessed: 30.6.15]

103 *Letter from Colin Armstrong, Policy Officer, Children's Rights and Wellbeing, Scottish Government to Juliet Harris, Director, Together (Scottish Alliance for Children's Rights) (dated 2nd March 2015) in response to a letter from Tam Baillie, Scotland's Commissioner for Children and Young People and Juliet Harris (as previous) (dated 19th January 2015) to Fiona McLeod, Acting Minister for Children and Young People, urging Scottish Government to underpin the Part 1 duties of the CYP Act with "clear and robust guidance". See: Together letter:* http://togetherscotland.org.uk/pdfs/Fiona_McLeod_15_01_15.docx *and Scottish Government letter:* http://togetherscotland.org.uk/pdfs/Page_1_SG_Letter.pdf & http://togetherscotland.org.uk/pdfs/Page_2_SG_Letter.pdf [Dates accessed: 30.6.15]

104 *Elsley, S. et al. (2013). Children and Young People's experiences of, and views on, issues relating to the Implementations of the United Nations Convention on the Rights of the Child. Paragraph 4.43.* http://www.gov.scot/Resource/0042/00427287.pdf [Date accessed: 27.6.15]

105 *roshni (2015) Exploiting, Exploited: A National Discussion on Radicalisation and Child Sexual Exploitation. [To be published.]*

UK Implementation of the Convention on the Rights of the Child
NGO alternative report to the Committee on the Rights of the Child – SCOTLAND
Together (Scottish Alliance for Children's Rights)   July 2015

106 Capability Scotland (2015). *Empowered and effective decision making: Consultation response report.* http://www.capability-scotland.org.uk/media/404780/empowered_and_effective_decision_making_-_executive_summary_02787.pdf [Date accessed: 30.6.15]

107 Capability Scotland (2014). *Disabled children and young people: Making choices and participating in everyday decisions: Literature Review.* http://www.capability-scotland.org.uk/media/404784/making_choices_and_participation_literature_review_839755.pdf [Date accessed: 30.6.15]

108 Together (2014). *State of Children's Rights in Scotland.* http://www.togetherscotland.org.uk/pdfs/SOCRRTogetherReport2014.pdf [Date accessed: 17.6.15]

109 Equality and Human Rights Commission (2011). *The impact of counter-terrorism measures on Muslim communities.* http://www.equalityhumanrights.com/sites/default/files/documents/research/counter-terrorism_research_report_72.pdf [Date accessed: 24.6.15]

110 Therese O'Toole, Nasar Meer, Daniel Nilsson DeHanas, Stephen H Jones and Tariq Modood (2015). *Governing Through Prevent? Regulation and Contested Practice in State-Muslim Engagement.* http://soc.sagepub.com/content/early/2015/02/19/0038038514564437.full.pdf+html [Date accessed: 24.6.15]

111 See newspaper articles: http://www.bbc.co.uk/news/uk-28939555 and http://www.theguardian.com/uk-news/2015/mar/09/anti-radicalisation-prevent-strategy-a-toxic-brand [Date accessed: 24.6.15]

112 The Prevent Strategy has been placed on a statutory footing as a result of the Counter-Terrorism & Security Act 2015. See: UK Government (2015). *Counter-Terrorism and Security Act 2015.* http://www.legislation.gov.uk/ukpga/2015/6/contents/enacted [Date accessed: 24.6.15]

113 roshni (2015) *Exploiting, Exploited: A National Discussion on Radicalisation and Child Sexual Exploitation.* [To be published.]

114 CAGE (2013). *The Prevent Strategy: A Cradle to Grave Police-State* http://cageuk.org/report.pdf [Date accessed: 24.6.15]

115 Police Scotland (2015). *Crime Prevention Strategy.* http://www.scotland.police.uk/assets/pdf/138327/150739/police-scotland-crime-prevention-strategy?view=Standard [Date accessed: 24.6.15]

116 This is illustrative of conversations with roshni, an organisation representing minority ethnic communities in Scotland. See: http://www.roshni.org.uk/ [Date accessed: 24.6.15]

117 Guidance has been produced by NHS Scotland on how to implement the Prevent Strategy across national health boards: NHS Scotland (2015). *Playing Our Part: Implementing the Prevent Strategy: Guidance for Health Board* http://www.readyscotland.org/media/79261/playing_our_part-_prevent_strategy-guidance_for_health_boards_-_january_2015.pdf [Date accessed: 24.6.15]

118 Scottish Youth Parliament (2015). *SYP Chair welcomes the Scottish Parliament's passing of the Scottish Elections (Reduction of Voting Age) Bill.* http://www.syp.org.uk/blog/2015/06/19/syp-chair-welcomes-the-scottish-parliaments-passing-of-the-scottish-elections-reduction-of-voting-age-bill/ [Date accessed: 22.6.15]

119 The consultation gathered 42,804 responses: Scottish Youth Parliament (2011). *Scottish Youth Parliament Manifesto: Change the Picture.* http://www.syp.org.uk/img/Youth%20Manifesto/Scottish%20Youth%20Parliament%20Youth%20Manifesto-%20Change%20the%20Picture.pdf [Date accessed: 22.6.2015]

120 roshni (2015) *Exploiting, Exploited: A National Discussion on Radicalisation and Child Sexual Exploitation.* [To be published.]

121 The Electoral Commission (2014). *Scottish Independence Referendum: Report on the referendum held on 18 September 2014.* Page 45 http://www.electoralcommission.org.uk/__data/assets/pdf_file/0010/179812/Scottish-independence-referendum-report.pdf [Date accessed: 22.6.15]

122 Eichhorn, Jan. (2014). *How lowering the voting age to 16 can be an opportunity to improve youth political engagement Lessons learned from the Scottish Independence Referendum* http://www.youthforum.org/assets/2014/04/dpart-Eichhorn-16VotingAge-Briefing.pdf [Date accessed: 22.6.15]

123 Elsley, S. et al. (2013). *Children and young people's experiences of, and views on, issues relating to the implementation of the United Nations Convention on the Rights of the Child.* http://www.gov.scot/Resource/0042/00427287.pdf [Date accessed: 17.6.15]

124 A survey in 2013 found that 16% of 11-16 year olds agreed that they are really frightened about going out due to fear of violence compared to 9% in 2003. See: YouthLink Scotland (2009). *Being Young in Scotland.* http://www.youthlinkscotland.org/webs/245/file/Final%20BYIS%20Repor%28a%29.pdf [Date accessed: 1.2.15]

125 LGBT young people had concerns about harassment in public places, when they were perceived as lesbian, gay, bisexual or transgender. This was one result from the 2012 online survey of LGBT young people aged 13 to 25, which had 273 full responses and 77 partial ones. See: LGBT Youth Scotland (2014). *Life in Scotland for LGBT Young People: Safety.* https://www.lgbtyouth.org.uk/files/documents/LGBTYS_Life_-_Safety2c_final.pdf [Date accessed: 20.5.15]

126 Scottish Government stated the following: "We recognise that the use of mosquito devices can prevent children and young people from enjoying freedom of movement and peaceful assembly. The indiscriminate use of the devices means that all young people are treated as a nuisance, regardless of their behaviour. This is not consistent with our desire to create strong supportive communities…" See: Scottish Government (2009) *Do The Right Thing.* http://www.gov.scot/Resource/Doc/282927/0085645.pdf [Date accessed: 19.5.15]

127 Scottish Government recently stated that it did not support the use of mosquito devices during Parliamentary Questions. See: Scottish Parliament (2015). *Written answer report: Enterprise and Environment.* http://www.scottish.parliament.uk/S4_ChamberDesk/WA20150115.pdf [Date accessed: 19.5.15]

128 Scottish Youth Parliament (2011). *Change the Picture: Youth Manifesto.* http://www.syp.org.uk/img/Youth%20Manifesto/Scottish%20Youth%20Parliament%20Youth%20Manifesto-%20Change%20the%20Picture.pdf [Date accessed: 18.5.15]

129 The Scottish Parliament (2010). *Public Petition: 'Ban Mosquito Devices now'.* https://www.scottish.parliament.uk/GettingInvolved/Petitions/petitionPDF/PE01367.pdf [Date accessed: 19.5.15]

130 Research carried out with Local Authorities in March 2011. Referred to in: Scottish Parliament (2012). *Official Report: Public Petitions Committee.* http://www.scottish.parliament.uk/parliamentarybusiness/report.aspx?r=7905&mode=pdf [Date accessed: 19.5.15]. Also referred to in: Scottish Government (2013). *The 5th UK Government Report to the UN Committee on the Rights of the Child.* http://www.gov.scot/Resource/0042/00426765.pdf [Date accessed: 10.2.15]

131 Barnardo's Scotland, Together (Scottish Alliance for Children's Rights) and Scotland's Commissioner for Children and Young People: All consultation responses accessible here: http://www.gov.scot/Publications/2014/10/1128/downloads [Date accessed: 1.11.14]

132 Scottish Government (2009). *Promoting Positive Outcomes: Working Together to Prevent Antisocial Behaviour in Scotland - Volume 2: Evidence.* http://www.gov.scot/Resource/Doc/264336/0079224.pdf [Date accessed 18.5.15]

133 Children's Parliament (2010). *Lothian & Borders Police Youth Strategy: Hearing the views of children,* http://www.childrensparliament.org.uk/new-assets/police-youth/cp-police-report.pdf [Date accessed: 14.5.15]

134 Kath Murray (2014) *Stop and search in Scotland: Stop and search in Scotland: An evaluation of police practice.* The Scottish Centre for Crime & Justice Research. http://www.sccjr.ac.uk/wp-content/uploads/2014/01/Stop_and_Search_in_Scotland1.pdf [Date accessed: 01.02.14]

135 Children's organisations have raised concerns of the disproportionate use of stop and search by the police on children. See: Together (January 2014). *Letter to Editors Re: Use of Stop and Search must be fair and proportionate towards Children and Young People.* See: http://togetherscotland.org.uk/news-and-events/news/detail/?news=696 [Date accessed: 1.2.14]

136 Murray, K. (2015) 'Stop and search in Scotland: A post-reform overview. Scrutiny and accountability' Scottish Centre for Crime and Justice Research. http://www.sccjr.ac.uk/wp-content/uploads/2015/06/Stop-and-search-in-Scotland.-A-post-reform-overview-22ndJune2015.pdf [Date accessed: 23.6.15]

137 Police Scotland data shows that between April and December 2013, 30% of all stop and searches took place on 15-19 year olds. Scottish Police Authority (2014). *Scrutiny Review: Police Scotland's Stop and Search Policy and Practice* http://www.spa.police.uk/assets/126884/230479/scrutinytaskgroupreport [Date accessed: 10.5.15]

138 Scottish Police Authority (2014). Scrutiny Review: Police Scotland's Stop and Search Policy and Practice http://www.spa.police.uk/assets/126884/230479/scrutinytaskgroupreport   [Date accessed: 10.5.15]

139 Murray, K. (2015) 'Stop and search in Scotland: A post-reform overview. Scrutiny and accountability' Scottish Centre for Crime and Justice Research. http://www.sccjr.ac.uk/wp-content/uploads/2015/06/Stop-and-search-in-Scotland.-A-post-reform-overview-22ndJune2015.pdf [Date accessed: 23.6.15]

140 Centre for Youth and Criminal Justice (2015). Youth in justice: Young people explore what their role in improving youth justice should be. http://www.cycj.org.uk/wp-content/uploads/2015/03/Youth-in-Justice.pdf [Date accessed: 23.6.15]

141 ENABLE Scotland (2015). Response to Police Scotland consultation on Stop and Search Standard Operating Procedure [To be published]

142 Police Scotland (2015). Stop and Search Update Report for the Cabinet Secretary for Justice. Chief Constable Sir Stephen House. http://www.gov.scot/Resource/0047/00474484.pdf   [Date accessed: 19.5.15]

143 Police Scotland (2015). Stop and Search Update Report for the Cabinet Secretary for Justice. Chief Constable Sir Stephen House. http://www.gov.scot/Resource/0047/00474484.pdf   [Date accessed: 19.5.15]

144 A non-statutory stop and search is based on verbal agreement rather than legal authority, and does not require reasonable suspicion.

145 Scottish Parliament (2014). Justice Sub-Committee on Policing: Official Report: Thursday 19 June 2014. http://www.scottish.parliament.uk/parliamentarybusiness/28862.aspx?r=9281&mode=pdf [Date accessed: 25.6.15]

146 HM Inspectorate of Constabulary in Scotland (2015). Audit and Assurance Review of Stop and Search: Phase 1. http://www.hmics.org/sites/default/files/publications/HMICS%20-%20Audit%20and%20Assurance%20Review%20of%20Stop%20and%20Search%20-%20Phase%201_0.pdf   [Date accessed: 19.5.15]

147 Scottish Human Rights Commission (2014). 'Police Scotland: Good or Bad for Scottish Justice?' http://www.scottishhumanrights.com/resources/presentations/policingandhumanrights [Date accessed: 23.6.15]

148 Scottish Human Rights Commission (2015). 'Commission calls for an end to non-statutory stop and search.' http://www.scottishhumanrights.com/news/latestnews/stopandsearchfeb15 [Date accessed: 23.6.15]

149 Wales, A. and Hill, L. (2011). Roundtable report: Finding the balance: children's right to confidentiality in an age of information sharing. http://www.togetherscotland.org.uk/pdfs/Finding%20the%20Balance%20Children's%20right%20to%20confidentiality%202011%20Final.pdf   [Date accessed: 01.10.15]

150 Scottish Government (2014). Children and Young People (Scotland) Act 2014. http://www.legislation.gov.uk/asp/2014/8/contents/enacted [Date accessed: 15.06.2015]

151 Scottish Government (2013). Children and Young People (Scotland) Bill: Policy Memorandum http://www.scottish.parliament.uk/S4_Bills/Children%20and%20Young%20People%20%28Scotland%29%20Bill/b27s4-introd-pm.pdf [Date accessed: 15.06.2015]

152 Scottish Government (2013). The 5th UK Government Report to the UN Committee on the Rights of the Child Scottish Government Submission. http://www.gov.scot/Resource/0042/00426765.pdf [Date accessed: 01.07.13]

153 Clan Childlaw (2013). Education and Culture Committee Children and Young People (Scotland) Bill: Supplementary Submission from Clan Childlaw Information Sharing Provisions Clauses 26 & 27 Children and Young People (Scotland) Bill http://www.scottish.parliament.uk/S4_EducationandCultureCommittee/Children%20and%20Young%20People%20%28Scotland%29%20Bill/clan_childlaw_Information_Sharing.pdf   [Date accessed: 01.09.2014]

154 Clan Childlaw (2015). Clan Childlaw Intervene in Judicial Review proceedings to redress the balance between the Sharing of Information and a Child's right to Privacy. http://www.togetherscotland.org.uk/pdfs/clan_Press%20_release_May_2015.pdf [Date accessed: 20.5.14]

155 SCCYP, NSPCC, Clan childlaw, Centre for Excellence for Looked After Children in Scotland (2014). Briefing: Confidentiality, Information Sharing and the Children and Young People (Scotland) Bill

UK Implementation of the Convention on the Rights of the Child
NGO alternative report to the Committee on the Rights of the Child – SCOTLAND
Together (Scottish Alliance for Children's Rights)   July 2015

http://togetherscotland.org.uk/pdfs/Confidentiality-information-sharing-and-the-Children-and-Young-People-Bill-briefing.pdf [Date accessed: 01.09.14]

156 Please see: http://www.gov.scot/Topics/People/Young-People/gettingitright/consultation [Consultation responses to be published] [Date accessed: 29.6.15]

157 Scottish Youth Parliament (2013). Children and Young People Bill – Scottish Youth Parliament response. A Scotland for Children: A Consultation on the Children and Young People Bill: Response from the Scottish Youth Parliament http://www.syp.org.uk/img/consultations/Children%20and%20Young%20People%20Bill_SYP%20Response.pdf   [Date accessed: 20.5.15]

158 Elsley, S. et al. (2013). Children and young people's experiences of, and views on, issues relating to the implementation of the United Nations Convention on the Rights of the Child. http://www.gov.scot/Resource/0042/00427287.pdf   [Date accessed: 17.6.15]

159 Ewart, C. and Tisdall, E.K.M. (2012) Phase 2 report: Embedding information rights in the primary and secondary education systems in the UK. https://ico.org.uk/media/about-the-ico/documents/1042368/embedding-information-rights-phase-2-report.pdf [Date accessed: 20.5.15]

160 Tisdall, K. (2012). Phase 1 report: embedding information rights in the primary and secondary education systems of the United Kingdom. Office of the Information Commissioner. http://www.research.ed.ac.uk/portal/files/7478996/Phase_1_report.pdf   [Date accessed: 20.5.15]

161 iRights is a coalition of organisations working to create a better digital world for young people, and ensuring that the internet and digital technologies are designed and delivered with children's rights at the forefront. See: http://irights.uk/ [Date accessed: 20.5.15]

162 Online safety has been a particular concern in relation to cyberbullying. Further information regarding cyberbullying in Scotland is available here: http://www.respectme.org.uk/adultcyberbullying.html   [Date accessed: 20.5.15]

163 Children's Parliament (2014). A report for Scottish Government on the Children's Parliament consultation as part of the Privacy Impact Assessment of Glow http://www.childrensparliament.org.uk/assets/glow/CP-Children-and-technology-Report-2014.pdf   [Date accessed: 20.5.15]

164 Young Scot (2011). Child Internet Safety: Consultation with Young People: Final Report, Edinburgh: Young Scot. [Unavailable online.]

165 Children's Parliament (2014). A report for Scottish Government on the Children's Parliament consultation as part of the Privacy Impact Assessment of Glow http://www.childrensparliament.org.uk/assets/glow/CP-Children-and-technology-Report-2014.pdf   [Date accessed: 20.5.15]

166 During the 2012 UK Universal Periodic Review, the UK received 4 recommendations (from Sweden, Norway, Finland and Sweden) to ban corporal punishment of children in all settings. These recommendations were 'noted' by UK Government. Italy recommended that the UK "Consider further measures in order to address the problem of violence against children, including corporal punishment." This recommendation was accepted by UK Government. See: http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G08/136/44/PDF/G0813644.pdf?OpenElement   [Date accessed: 21.5.15]

167 Both the Criminal Justice (Scotland) Bill and Children and Young People (Scotland) Act 2014 provided a legislative vehicle through which to ensure equal protection from assault in law, through repeal of Section 51 of the Criminal Justice (Scotland) Act 2003. (see: http://www.scottish.parliament.uk/parliamentarybusiness/Bills/65155.aspx [Date accessed: 21.5.15] and: http://www.legislation.gov.uk/asp/2014/8/contents/enacted   [Date accessed: 21.5.15])

168 Scottish Government (2003). Criminal Justice (Scotland) Act 2003 (Section 51). http://www.legislation.gov.uk/asp/2003/7/pdfs/asp_20030007_en.pdf [Date accessed: 25.6.15]

169 YouGov (2015). YouGov / Children 1st: Sample size – 1021 Scottish Adults. https://d25d2506sfb94s.cloudfront.net/cumulus_uploads/document/8syhbq168m/YG-Archive-150201-Children1st.pdf [Date accessed: 24.6.15]

170 The 'Being Young in Scotland 2009' survey found that just over half (56%) of 11 to 16 year olds in agreed with the statement "children and young people should be legally protected from 'being smacked'." See: Youth Link Scotland (2009)

UK Implementation of the Convention on the Rights of the Child
NGO alternative report to the Committee on the Rights of the Child – SCOTLAND
Together (Scottish Alliance for Children's Rights)   July 2015

Being Young in Scotland 2009. http://www.youthlinkscotland.org/webs/245/file/Final%20BYIS%20Repor(a).pdf [Date accessed: 20.5.15]

171 Scottish Government (2013). The 5th UK Government Report to the UN Committee on the Rights of the Child Scottish Government Submission http://www.gov.scot/Resource/0042/00426765.pdf [Date accessed: 20.05.15]

172 Children are Unbeatable! (2014). Justice Committee Criminal Justice (Scotland) Bill. http://www.scottish.parliament.uk/S4_JusticeCommittee/Inquiries/CJ15._Children_Are_Unbeatable_Scotland.pdf [Date accessed: 17.06.2015]

173 Scottish Government (2013). Holding Safely: A guide for residential child care practitioners and managers in physically restraining children and young people and The National Care Standards: Care homes for children and young people (2005; revised 2008 and 2013) http://www.gov.scot/Resource/0041/00413007.pdf [Date accessed: 17.6.15]

174 Care Commission (2008). Protecting children and young people in residential care: are we doing enough? http://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CB4QFjAA&url=http%3A%2F%2Fwww.scswis.com%2Findex.php%3Foption%3Dcom_docman%26task%3Ddoc_download%26gid%3D276%26Itemid%3D378&ei=MrNcVfbiIKa07gahiYDYBA&usg=AFQjCNFLD59FBjWRj1_zWNWWq6zp_wXVUg&sig2=7Y2DCTjE44J-Vau3dthkfw&bvm=bv.93756505,d.ZGU&cad=rja [Date accessed: 20.5.15]

175 Care Commission (2008). Protecting children and young people in residential care: are we doing enough? http://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CB4QFjAA&url=http%3A%2F%2Fwww.scswis.com%2Findex.php%3Foption%3Dcom_docman%26task%3Ddoc_download%26gid%3D276%26Itemid%3D378&ei=MrNcVfbiIKa07gahiYDYBA&usg=AFQjCNFLD59FBjWRj1_zWNWWq6zp_wXVUg&sig2=7Y2DCTjE44J-Vau3dthkfw&bvm=bv.93756505,d.ZGU&cad=rja [Date accessed: 20.5.15]

176 Centre for Excellence for Looked After Children in Scotland (2014). Protecting and Safeguarding Children in Care: A Review of Developments in Services for Children in Care in Scotland. http://www.celcis.org/media/resources/publications/Protecting_and_Safeguarding_Children_in_Care_v3.pdf [Date accessed: 20.5.15]

177 Scottish Parliament (2015). National Guidance on Restraint and Seclusion in Schools. http://www.scottish.parliament.uk/GettingInvolved/Petitions/PE01548 [Date accessed: 29.6.15]

178 ENABLE Scotland (2015). Scottish Parliament Public Petition PE01548 – National Guidance on Restraint and Seclusion in Schools. http://www.scottish.parliament.uk/S4_PublicPetitionsCommittee/General%20Documents/PE1548_B_ENABLE_Scotland_16.04.15.pdf [Date accessed: 29.6.15]

179 Commission for Childcare Reform (2015). Interim Report of the Commission for Childcare Reform: An Overview of Our Proposals for Change and Draft Recommendations. http://www.childreninscotland.org.uk/sites/default/files/Interim%20Statement_final_27March.pdf [Date accessed: 25.6.15]

180 Save the Children. (2013). Give Us a Hand with Childcare: 10 key messages from parents in Scotland. http://www.savethechildren.org.uk/sites/default/files/images/Give_Us_A_Hand.pdf [Date accessed: 17.6.15]

181 Engender (2012). Multiple Jeopardy? The impacts of UK Government's proposed welfare reforms on women in Scotland. http://www.engender.org.uk/content/publications/Multiple-Jeopardy-Briefing-paper.pdf [Date accessed: 24.6.15]

182 Save the Children. (2013). Give Us a Hand with Childcare: 10 key messages from parents in Scotland. http://www.savethechildren.org.uk/sites/default/files/images/Give_Us_A_Hand.pdf [Date accessed: 17.6.15]

183 Capability Scotland (2014). Call for Expert Evidence on Reform of Childcare Provision in Scotland. http://www.commissionforchildcarereform.info/wp-folder/wordpress/wp-content/uploads/Capability-Scotland-Response.pdf [Date accessed: 30.6.15]

184 See: http://www.familyandchildcaretrust.org/annual-childcare-costs-surveys [Date accessed: 30.6.15]

185 The Children and Young People (Scotland) Act 2014 includes a duty to extend the hours of free early years childcare: 600 hours per annum for 3 and 4 year olds; and, for around 15% of the most vulnerable 2 year olds from August 2014. From
UK Implementation of the Convention on the Rights of the Child
NGO alternative report to the Committee on the Rights of the Child – SCOTLAND
Together (Scottish Alliance for Children's Rights)   July 2015

August 2015, this will be expanded to 27% of 2 year olds based on free school meal eligibility. See: Scottish Government (2014). *Children and Young People (Scotland) Act 2014*. http://www.legislation.gov.uk/asp/2014/8/contents/enacted [Date accessed: 29.6.15]

186 SPICe (2014). *Early Learning and Childcare*. http://www.scottish.parliament.uk/ResearchBriefingsAndFactsheets/S4/SB_14-26.pdf [Date accessed: 17.6.15]

187 Family and Childcare Trust (2014). *The 2014 Scottish Childcare Report*. http://www.fct.bigmallet.co.uk/sites/default/files/files/The_2014_Scottish_Childcare_Report_FINAL.pdf#overlay-context=annual-childcare-costs-surveys [Date accessed: 17.6.15]

188 Citizen's Advice Bureau (2014). *Working at the Edge*. http://www.cas.org.uk/system/files/publications/WAE%20Childcare%20December%202014_FINAL.pdf [Date accessed: 17.6.15]

189 Commission for Childcare Reform (2015). *Interim Report*. http://www.childreninscotland.org.uk/sites/default/files/Interim%20Statement_final_27March.pdf [Date accessed: 17.6.15]

190 Scottish Government (2012). *National Parenting Strategy*. http://www.gov.scot/resource/0040/00403769.pdf [Date accessed: 20.5.15]

191 Children's Parliament (2012) *How does your garden grow? A report for children on a consultation for Scottish Government on the Children and Young People Bill*, http://www.childrensparliament.org.uk/new-assets/childrens-bill/CP-How-does-your-garden-grow-C+YP-Bill.pdf [Date accessed: 20.5.15]

192 Parenting Across Scotland (2010). *What Scottish parents tell us: Ipsos Mori Poll Undertaken for Pas 2010*. http://www.parentingacrossscotland.org/media/134337/final%20report2.pdf [Date accessed: 20.5.15]

193 Scottish Government (2013). *Carers and Young Carers: Statement of intent*. http://www.tandfonline.com/doi/abs/10.1080/13676261.2010.551112 [Date accessed: 8.6.15]

194 Scottish Government (2015). *Scotland's Carers*. http://www.gov.scot/Resource/0047/00473691.pdf [Date accessed: 8.6.15]

195 Scottish Government (2013). *Carers and Young Carers: Statement of intent*. http://www.gov.scot/Resource/0043/00435195.pdf [Date accessed: 8.6.15]

196 Scottish Youth Parliament (2014). *A Costly Youth: The Impact of Caring on Young People in Scotland*. http://www.syp.org.uk/a-costly-youth-W21page-517- [Date accessed: 8.6.15]

197 Scottish Household Survey (n3) (2014). *Carers UK/Carers Scotland, Caring and Family Finances Inquiry: Executive Summary*. http://www.carersuk.org/36-for-professionals/report/138-caring-family-finances-inquiry [Date accessed: 8.6.15]

198 Scottish Government (2010) *Getting It Right for Young Carers: the young carers strategy for Scotland 2010 – 2015*. http://www.gov.scot/resource/Doc/319441/0102105.pdf [Date accessed: 23.6.15]

199 Scotland's Commissioner for Children and Young People (2012). http://www.sccyp.org.uk/news/archive/research-demonstrates-stark-differences-in-lives-of-young-carers [Date accessed: 8.6.15]

200 Scottish Household Survey (n3) (2014). *Carers UK/Carers Scotland, Caring and Family Finances Inquiry: Executive Summary*. http://www.carersuk.org/36-for-professionals/report/138-caring-family-finances-inquiry [date accessed: 8.6.15]

201 A consultation with young carers found that 74% of respondents experienced anxiety or stress due to their financial situation and 80% reported that financial pressures affected their ability to study: Scottish Youth Parliament (2014). *A Costly Youth: The Impact of Caring on Young People in Scotland*. http://www.syp.org.uk/img/Promotion/A_Costly_Youth_The_Impact_of_Caring_on_Young_People_in_Scotland.pdf [Date accessed: 17.6.15]

202 Scotland's Commissioner for Children and Young People (2012). http://www.sccyp.org.uk/news/archive/research-demonstrates-stark-differences-in-lives-of-young-carers [Date accessed: 8.6.15]

UK Implementation of the Convention on the Rights of the Child
NGO alternative report to the Committee on the Rights of the Child – SCOTLAND
Together (Scottish Alliance for Children's Rights)   July 2015

203 Glasgow Association of Mental Health (2010).   Young Carers Charter of Rights: Peer Education & Skills Training on UNCRC 2010.   http://www.gamh.org.uk/media/1194/gamhyoungcarersuncrcreport.pdf [Date accessed: 8.6.15]

204 Elsley, S. et al. (2013). Children and Young People's Experiences of, and Views on, Issues Relation to the Implementation of the United Nations Convention on the Rights of the Child, page 24. http://www.gov.scot/Resource/0042/00427287.pdf [Date accessed: 8.6.15]

205 Scotland's Commissioner for Children & Young People (2012).   Tell Tam at the Scottish Young Carers Festival 2011, Edinburgh: and East Lothian Council (2012) Listen more, assume less 5. http://www.eastlothian.gov.uk/downloads/file/6405/listen_more_assume_less_5   [Date accessed: 8.6.15]

206 Scotland's Commissioner for Children and Young People (2014). Promoting and safeguarding the rights of young carers: Briefing. http://www.sccyp.org.uk/ufiles/Young-Carers-briefing.pdf [Date accessed: 25.6.15]

207 Find out more in Together (2014). State of Children's Rights in Scotland. http://togetherscotland.org.uk/pdfs/SOCRRTogetherReport2014.pdf [Date accessed: 8.6.15

208 Equal Partners in Care (2014). Highland Young Carers Strategy 2014-2017. http://connectingyoungcarers.org/files/Highland_Young_Carers_Strategy_2014.pdf [Date accessed: 8.6.15]

209 Scottish Government (2010). Good Practice: Carers and Young Carers Stories: Caring Together and Getting it Right for

Young Carers http://www.gov.scot/Resource/Doc/319496/0102107.pdf [Date accessed: 29.6.15]

210 Scottish Government (2010). Getting it Right for Young Carers: the young carers' strategy for Scotland 2010-2015. http://www.gov.scot/resource/Doc/319441/0102105.pdf   [Date accessed: 8.6.15]

211 Scottish Parliament (2015). Carers (Scotland) Bill. http://www.scottish.parliament.uk/parliamentarybusiness/Bills/86987.aspx   [Date accessed: 8.6.15]

212 Scottish Parliament (2015). Carers (Scotland) Bill. http://www.scottish.parliament.uk/S4_Bills/Carers%20%28Scotland%29%20Bill/b61s4-introd-pm.pdf   [Date accessed: 8.6.15]

213 Scottish Government (2014). Children and Young People (Scotland) Act 2014. http://www.legislation.gov.uk/asp/2014/8/contents/enacted [Date accessed: 15.6.15]

214 See: CLG077, CLG115, CLG108, CLG110. http://www.gov.scot/Publications/2014/05/8784/downloads [Date accessed: 24.6.15]

215 Scottish Parliament (2015). Health and Sport Committee: Official Report: Tuesday 15th May 2015. http://www.scottish.parliament.uk/parliamentarybusiness/report.aspx?r=9934&mode=pdf [Date accessed: 24.6.15]

216 Scottish Government (2008). National Domestic Abuse. http://www.gov.scot/resource/doc/228073/0061720.pdf [Date accessed: 17.6.15]

217 Scottish Government (2008). Making a Difference http://www.gov.scot/Resource/Doc/228207/0061829.pdf   [Date accessed: 17.6.15]

218 Voice Against Violence (2012). One Voice at a Time. http://voiceagainstviolence.org.uk/one-voice/ [Date accessed: 17.6.15]

219 Cedar Project (2012). Evaluation Report.   http://www.cedarnetwork.org.uk/wp-content/uploads/2011/03/Evaluation-Report-DOWNLOAD1.pdf   [Date accessed: 17.6.15]

220 Scottish Government (2014). Equally Safe. http://www.gov.scot/Resource/0045/00454152.pdf [Date accessed: 24.6.15]

221 Scottish Government (2015). Equally Safe - Reforming the criminal law to address domestic abuse and sexual offences. http://www.gov.scot/Publications/2015/03/4845 [Date accessed: 24.6.15]

222 Scottish Justice Matters (2014). Living It: Children, young people and justice. http://scottishjusticematters.com/wp-content/uploads/Pages-from-SJM_2_3_Nov2014-YPandDomesticAbuse.pdf [Date accessed: 24.6.15]

223 Scottish Government (2013).   Domestic Abuse Recorded by Police in Scotland 2012-13. http://www.gov.scot/Resource/0043/00435586.pdf [Date accessed: 17.6.15]

UK Implementation of the Convention on the Rights of the Child
NGO alternative report to the Committee on the Rights of the Child – SCOTLAND
Together (Scottish Alliance for Children's Rights)   July 2015

224 Scottish Government (2013). Statistical Bulletin: Crime and Justice Series.
http://www.gov.scot/Topics/People/Equality/violence-women/Key-Facts   [Date accessed: 17.6.15]

225 Scottish Justice Matters (2014). Living It: Children, young people and justice. http://scottishjusticematters.com/wp-content/uploads/Pages-from-SJM_2_3_Nov2014-YPandDomesticAbuse.pdf [Date accessed: 24.6.15]

226 Scottish Justice Matters (2014). Living It: Children, young people and justice. http://scottishjusticematters.com/wp-content/uploads/Pages-from-SJM_2_3_Nov2014-YPandDomesticAbuse.pdf [Date accessed: 24.6.15]

227 NSPCC (2009). Partner exploitation and violence in teenage intimate relationships
http://www.nspcc.org.uk/globalassets/documents/research-reports/partner-exploitation-violence-teenage-intimate-relationships-report.pdf [Date accessed: 24.6.15]

228 Scottish Women's Aid (2010).   The Impact of Domestic Abuse on Children and Young People.
http://www.scottishwomensaid.org.uk/sites/www.scottishwomensaid.org.uk/files/ImpactofdomesticabuseOnCYP.pdf
[Date accessed: 17.6.15]

229 See: http://www.gbv.scot.nhs.uk/gbv [Date accessed: 24.6.15]

230 Farmer, E. and Callan, S. (2012). Beyond Violence: Breaking cycles of domestic abuse.
http://www.centreforsocialjustice.org.uk/UserStorage/pdf/Pdf%20reports/DA%20Full%20report.pdf [Date accessed:
25.6.15]

231 Scottish Women's Aid (Date unknown). The Support Needs of Children and Young People who have to move home
because of Domestic Violence.
http://www.scottishwomensaid.org.uk/sites/www.scottishwomensaid.org.uk/files/SWA%20Research%20Report_0.pdf
[Date accessed: 17.6.15]

232 Centre for Research on Families and Relationships (2014). Strengthening mother-child relationships as part of domestic
violence recovery. http://www.crfr.ac.uk/assets/briefing-72for-web.pdf [Date accessed: 24.6.15]

233 Voice Against Violence (no date). Question Time! http://www.voiceagainstviolence.org.uk/wp-content/uploads/2012/09/VAV-Question-Time-Peer-Education-Project-Report.pdf   [Date accessed: 17.6.15]

234 Voice Against Violence (no date). Standards Booklet. http://www.voiceagainstviolence.org.uk/wp-content/uploads/2012/07/standards-booklet.pdf [Date accessed: 17.6.15]

235 Scottish Women's Aid (2015). Ear Wide Open.
http://www.scottishwomensaid.org.uk/sites/www.scottishwomensaid.org.uk/files/SWA_Ears_Wide_Open_report.pdf
[Date accessed: 17.6.15]

236 Scotland's Commissioner for Children and Young People (2013). The treatment of the views of children in private law
child contact disputes where there is a history of domestic abuse   http://www.sccyp.org.uk/ufiles/views-of-children-and-domestic-abuse.pdf   [Date accessed: 17.6.15]

237 Scotland's Commissioner for Children and Young People (2013). The treatment of the views of children in private law
child contact disputes where there is a history of domestic abuse. http://www.sccyp.org.uk/ufiles/views-of-children-and-domestic-abuse.pdf   [Date accessed: 17.6.15]

238 Scottish Government (2014)   Children's Social Work Statistics 2013-14.
http://www.gov.scot/Resource/0047/00474430.xlsx [Date accessed: 17.6.15]

239 Scottish Government (2015). Children's Social Work Statistics Scotland 2013-14
http://www.gov.scot/Resource/0047/00474429.pdf [Date accessed: 24.6.15]

240 Dunlop, Duncan, Scottish Journal of Residential Child Care, 12, 3 (2013) 3.   Children and Young People in Care until Age
26.   http://www.celcis.org/media/resources/publications/2013_vol12_no3_dunlop_children_young.pdf [Date accessed:
17.6.15]

241 Who Cares? Scotland (2013). Independent Advocacy Position Paper.
http://www.whocaresscotland.org/download/publications/f_551d6567a9166/ [Date accessed: 25.6.15]

--- Page 69 ---
UK Implementation of the Convention on the Rights of the Child
NGO alternative report to the Committee on the Rights of the Child – SCOTLAND
Together (Scottish Alliance for Children's Rights)   July 2015

242 The Scottish Parliament (2013). Education and Culture Committee, 10th Report.
http://www.scottish.parliament.uk/S4_EducationandCultureCommittee/Reports/edR-13-10w.pdf [Date accessed: 17.6.15]

243 Centre for Excellence for Looked After Children in Scotland (2012) Corporate Parent: Would this be good enough for your child. http://www.celcis.org/resources/entry/corporate_parent_would_this_be_good_enough_for_your_child

Centre for Excellence for Looked After Children in Scotland (2012) Young People discuss advocacy, human rights, diversity and disability, http://www.celcis.org/resources/entry/diversity_and_disability

Centre for Excellence for Looked After Children in Scotland (2012) If I could change one thing, http://www.celcis.org/resources/entry/if_i_could_change_one_thing   [Date accessed: 17.6.15]

244 Kibble Education and Care Centre (2012). Please listen: a play about being in care from CELCIS. http://www.celcis.org/resources/entry/please_listen_a_play_about_being_in_care   [Date accessed: 17.6.15]

245 Listen 2Us (2014).   A consultation with looked after young people and care leavers on their views and experiences of services in Dumfries and Galloway.   http://www.dumgal.gov.uk/CHttpHandler.ashx?id=15876&p=0   [Date accessed: 17.6.15]

246 Who Cares? Scotland (2012) Young people's views: Summary of full report: Supporting information from young people in care and care leavers for the Children and Young People Bill- from young people with experience of being in care in Scotland.   http://www.whocaresscotland.org/download/publications/f_511b9dcdb6848/Cached   [Date accessed: 17.6.15]

247 Siebelt, L and Morrison E (2009). Caring about Success: Young People's Stories, Glasgow: Who Cares? Scotland. http://www.whocaresscotland.org/download/publications/f_5120d96834db7/ [Date accessed: 25.6.15]

248 Dundee Looked After Children Champions Board (2012) http://awards.cosla.gov.uk/2013/03/achieving-better-outcomes-dundee-city-council-dundee-champions-board/ [Date accessed: 17.6.15]

249 Wilson, S. and Milne, E. J. (2012) Young People Creating Belonging: Spaces, Sounds and Sights, http://www.aberlour.org.uk/assets/0000/9688/Young_People_Creating_Belonging_Sight_and_Sound_Project_Report.pdf [Date accessed: 25.6.15]

250 Scottish Government (2013). Staying Put Scotland Providing care leavers with connectness and belonging. http://www.gov.scot/Resource/0043/00435935.pdf [Date accessed: 30.6.15]

251 Who Cares? Scotland (2014). Outcomes for Looked After Children and Young People. http://www.whocaresscotland.org/download/publications/f_551d671c6d218/ [Date accessed: 30.6.15]

252 Who Cares? Scotland (2014) Care Experienced Young People's Views: Interpreting the Children and Young People Act 2014. www.whocaresscotland.org/publications [Date accessed: 23.6.15]

253 Centre for Excellence for Looked After Children in Scotland (2013). Snapshots of Permanence: What is happening in Scotland? http://www.celcis.org/media/resources/publications/snapshot-of-permanencev3-LOW.pdf [Date accessed: 01.6.15]

254 Scottish Children's Reporter (2011).   Care and Permanence Planning for Looking After Children in Scotland. http://www.scra.gov.uk/cms_resources/Care%20and%20Permanence%20Planning%20for%20Looked%20After%20Children%20in%20Scotland.pdf   [Date accessed: 17.6.15]

255 Scottish Government and Who Cares? Scotland (2014). Permanency: The views of care experienced young people. http://www.whocaresscotland.org/download/publications/f_551d6685b20b2/ [Date accessed: 23.6.15]

256 The precise proportion of looked after children who are disabled depends on how disability is defined and counted. See: Welch, V et.al. Permanence for disabled children and young people through foster care and adoption: A selective review of international literature. Children and Youth Services Review, 53 (2015) http://www.cen.scot.nhs.uk/files/Literature_review_LAC_CENCYP_25Mar15.pdf   [Date accessed: 17.6.15]

257 Centre for Excellence for Looked After Children in Scotland (2013). Scotland's National Human Rights Action Plan: Getting It Right for Looked After Children and Care Leavers. http://www.celcis.org/media/resources/publications/Scotlands-National-Action-Plan-on-Human-Rights.pdf [Date accessed: 30.6.15]

UK Implementation of the Convention on the Rights of the Child
NGO alternative report to the Committee on the Rights of the Child – SCOTLAND
Together (Scottish Alliance for Children's Rights)   July 2015

258 Centre for Excellence for Looked After Children in Scotland (2013). Scotland's National Human Rights Action Plan: Getting It Right for Looked After Children and Care Leavers. http://www.celcis.org/media/resources/publications/Scotlands-National-Action-Plan-on-Human-Rights.pdf [Date accessed: 30.6.15]

259 Scotland's Commissioner for Children and Young People (2012).   A critical review and analysis of current research and policy relating to disabled children and young people in Scotland http://withscotland.org/download/critical_review_and_analysis_of_research_research_and_policy_relating_to_disabled_children1-pdf-pdf   [Date accessed: 17.6.15]

260 Welch et al. (2015). Permanence for disabled children and young people through foster care and adoption: A selective review of international literature. Children and Youth Services Review, 53, 137–146. http://www.sciencedirect.com/science/article/pii/S0190740915001000 [Date accessed: 30.6.15]

261 Barnardo's (2009). Looked After Children with Additional Support Scotland. http://www.barnardos.org.uk/looked_after_children_with_additional_support_needs_in_scotland_-_2010.pdf [Date accessed: 17.6.15]

262 Scottish Independent Advocacy Alliance (2014). A Map of Advocacy Across Scotland, 2013-2014 edition Page 8. http://www.siaa.org.uk/wp-content/uploads/2014/10/Advocacy-Map-201314.pdf [Date accessed 4.6.15]

263 This research also reports that children who are looked after at home, are placed in kinship care and are fostered have less access to advocacy than those placed in residential child care. It was pointed out that children who are placed in residential care experience different levels of advocacy services depending on the services available in their placing authority. Young people in secure care do not necessarily have access to the advocacy they need because of their high level of needs. See: Scottish Government (2010). 'Advocacy makes you feel brave': Advocacy support for children and young people in Scotland. http://www.gov.scot/Resource/Doc/298414/0093082.pdf   [Date accessed 4.6.15]

264 Who Cares? Scotland (2013). Access to independent advocacy is a must for young people with care experience. http://www.whocaresscotland.org/download/publications/f_551557222a49a/ [Date accessed: 30.6.15]

265 Centre for Excellence for Looked After Children in Scotland (2013). Scotland's National Human Rights Action Plan: Getting It Right for Looked After Children and Care Leavers. http://www.celcis.org/media/resources/publications/Scotlands-National-Action-Plan-on-Human-Rights.pdf   [Date accessed 4.6.15]

266 Elsley, S. et al. (2013). Children and young people's experiences of, and views on, issues relating to the implementation of the United Nations Convention on the Rights of the Child. http://www.gov.scot/Resource/0042/00427287.pdf [Date accessed: 21.5.15]

267 Scottish Government (2014). Who can advocate for a child or young person? (http://www.scotland.gov.uk/Topics/People/Young-People/families/advocacy/introduction (Accessed 17.6.15]

268 Scottish Government (2014). Children and Young People (Scotland) Act 2014. http://www.legislation.gov.uk/asp/2014/8/contents/enacted [Date accessed 4.6.15]

269 Scottish Government (2014). Implementation of the Education (Additional Support for Learning) (Scotland) Act 2004 (as amended). http://www.gov.scot/Resource/0044/00448013.pdf   [Date accessed 4.6.15]

270 Scottish Government (2012). Supporting Implementation of Additional Support for Learning in Scotland. http://www.gov.scot/Resource/0040/00408302.pdf [Date accessed 4.6.15]

271 Scottish Government (2011). Children's Hearing (Scotland) Act 2011. http://www.legislation.gov.uk/asp/2011/1/contents [Date accessed: 23.6.15]

272 Scottish Government (2015).   Children's Social Work Statistics, 2013-14. http://www.gov.scot/Resource/0047/00474429.pdf   [Date accessed: 17.6.15]

273 NSPCC (2014).   What Works in Preventing and Treating Poor Mental Health in Looked After Children? http://www.nspcc.org.uk/globalassets/documents/evaluation-of-services/preventing-treating-mental-health-looked-after-children-summary   [Date accessed: 17.6.15]

274 Law Society of Scotland (2012). Barriers to Sibling Contact.   http://www.journalonline.co.uk/Preview/1011960.aspx [Date accessed: 17.6.15]

UK Implementation of the Convention on the Rights of the Child
NGO alternative report to the Committee on the Rights of the Child – SCOTLAND
Together (Scottish Alliance for Children's Rights)   July 2015

275 Who Cares? Scotland (2014). Contact: The views of care experienced young people
http://www.whocaresscotland.org/download/publications/f_551d68a736180/ [Date accessed: 23.6.15]

276 Law Society of Scotland (2012). Barriers to Sibling Contact. http://www.journalonline.co.uk/Preview/1011960.aspx
[Date accessed: 17.6.15]

277 Centre for Excellence for Looked After Children in Scotland and STAF (2014). Throughcare and Aftercare in Scotland's
Local Authorities. http://www.celcis.org/media/resources/publications/Throughcare-and-aftercare-in-scotlands-local-
authorities.pdf [Date accessed: 17.6.15]

278 Centre for Excellence for Looked After Children in Scotland and STAF (2014). Throughcare and Aftercare in Scotland's
Local Authorities. http://www.celcis.org/media/resources/publications/Throughcare-and-aftercare-in-scotlands-local-
authorities.pdf [Date accessed: 17.6.15]

279 Centre for Excellence for Looked After Children in Scotland (2013). SNAP: Getting It Right for Looked After Children and
Care Leavers. http://www.celcis.org/media/resources/publications/Scotlands-National-Action-Plan-on-Human-Rights.pdf
[Date accessed: 30.6.15]

280 STAF Debate Project (2012). Consultation on a Proposal for a Children and Young People Bill.
http://www.scottishthroughcare.org.uk/wp-content/uploads/2015/06/childrens_bill_DP_response.pdf [Date accessed:
17.6.15]

281 STAF Debate Project (2009). Life after care conference 2009: Young People's Views on Leaving Care.
http://www.scottishthroughcare.org.uk/wp-content/uploads/2012/10/Debate-Project-Life-After-Care-Report-2009.pdf
[Date accessed: 17.6.15]

282 Scottish Government (2013). Housing Options Protocol for Care Leavers, Guidance for Corporate Parents: Improving
housing and accommodation outcomes for Scotland's care leavers. http://www.gov.scot/Publications/2013/10/6147
[Date accessed: 17.6.15]

283 STAF Debate Project (2013) Picking up the pieces-leaving care experiences,
http://www.celcis.org/resources/entry/picking_up_the_pieces_leaving_care_experiences [Date accessed: 17.6.15]

284 Who Cares? Scotland, Aberlour, Barnardo's Scotland (2014). Getting it Right for Young People Leaving Care.
http://www.whocaresscotland.org/download/publications/f_52601896677ce/ [Date accessed: 30.6.15]

285 STAF Debate Project (2009). Life after care conference 2009: Young People's Views on Leaving Care.
http://www.scottishthroughcare.org.uk/wp-content/uploads/2012/10/Debate-Project-Life-After-Care-Report-2009.pdf
[Date accessed: 20.5.15]

286 Macdonald, C., Cruickshank, C. and Ray, L. (2013). Consultation with Children and Young People: Strategy for Children's
Residential Care, Glasgow: Who Cares? Scotland. http://www.celcis.org/media/resources/publications/WhoCaresScotland-
Consultation-Report1.pdf [Date accessed: 30.6.15]

287 Who Cares? Scotland (2012). Young people's views: Summary of full report: Supporting information from young
people in care and care leavers for the Children and Young People Bill- from young people with experience of being in care
in Scotland. http://www.whocaresscotland.org/download/publications/f_511b9dcdb6848/Cached [Date accessed:
17.6.15]

288 Who Cares? Scotland (2014). Equal Opportunities Committee Having and Keeping a Home – Follow up inquiry: Who
Cares? Scotland's response http://www.whocaresscotland.org/download/publications/f_538495fd6d5b4/ [Date accessed:
23.6.15]

289 Scottish Government (2014). Children and Young People (Scotland) Act 2014.
http://www.legislation.gov.uk/asp/2014/8/contents/enacted [Date accessed: 17.6.15]

290 Who Cares? Scotland (2014). Interpreting the Children's and Young People's Act 2014.
http://www.whocaresscotland.org/download/publications/f_54d9e169df149/ [Date accessed: 17.6.15]

291 Scottish Government (2014). Children's Social Work Statistics 2013-14.
http://www.gov.scot/Resource/0047/00474430.xlsx [Date accessed: 17.6.15]

UK Implementation of the Convention on the Rights of the Child
NGO alternative report to the Committee on the Rights of the Child – SCOTLAND
Together (Scottish Alliance for Children's Rights)   July 2015

292 Citizen's Advice Scotland (2014). In the Family Way.
http://www.cas.org.uk/system/files/publications/kinship%20care.pdf   [Date accessed: 17.6.15]

293 There is a new Kinship Care Order contained in Part 13 of the Children and Young People (Scotland) Act 2014. See:
Scottish Government (2014). Children and Young People (Scotland) Act 2014.
http://www.legislation.gov.uk/asp/2014/8/contents/enacted [Date accessed: 29.6.15]

294 Citizen's Advice Scotland (2014). In the Family Way.
http://www.cas.org.uk/system/files/publications/kinship%20care.pdf   [Date accessed: 17.6.15]

295 Citizen's Advice Scotland (2014). In the Family Way.
http://www.cas.org.uk/system/files/publications/kinship%20care.pdf   [Date accessed: 17.6.15]

296 Children 1st (2013). Financial review for kinship carers: a consultation with Scotland's kinship carers 2013.
http://www.children1st.org.uk/media/158367/report-kinship-care-financial-review-children-1st.pdf [Date accessed:
29.6.15]

297 Children First (2014). Consultation with Children and Young People in Kinship Care.
http://www.children1st.org.uk/media/264204/childrenyoungpeopleconsultationreportkinshipcareorder2014.pdf [Date
accessed: 17.6.15]

298 Scottish Government (2014). Children's Social Work Statistics 2013-14.
http://www.gov.scot/Resource/0047/00474430.xlsx   [Date accessed: 17.6.15]

299 Care Inspectorate (2013). The quality and performance of adoption agencies in Scotland 2011 - 2013
http://www.careinspectorate.com/index.php?option=com_docman&task=doc_download&gid=1033&Itemid=701 [Date
accessed: 17.6.15]

300 Centre for Excellence for Looked After Children in Scotland (2012). The Expert Views of Children and Young People on
their Experiences of Foster Care in Scotland.   http://www.celcis.org/media/resources/publications/Foster-Care-Review-
Final-Report.pdf   [Date accessed: 17.6.15]

301 Centre for Excellence for Looked After Children in Scotland (2012). The Expert Views of Children and Young People on
their Experiences of Foster Care in Scotland.   http://www.celcis.org/media/resources/publications/Foster-Care-Review-
Final-Report.pdf   [Date accessed: 17.6.15]

302 The number of children affected by imprisonment is unknown as there is no robust form of identification or assessment
for this group of children. For an estimate, see: Scottish Government Justice Analytical Services (2012) 'Freedom of
Information request' from Dr Chris Holligan, 26 January 2012

303 Families Outside (2009). Support and Information for children affected by imprisonment.
http://www.familiesoutside.org.uk/content/uploads/2011/02/in-brief-4.pdf [Date accessed: 29.6.15]

304 Families Outside (2009). Child and Family Impact Assessments in Court: Implications for policy and practice.
http://www.familiesoutside.org.uk/content/uploads/2011/02/child-impact-statements-stage1.pdf [Date accessed: 8.6.15]

305 Loucks, N. (2004). 'Prison Without Bars': Needs, support, and good practice for work with Prisoners' Families.
http://www.familiesoutside.org.uk/content/uploads/2011/02/PrisonWithoutBars.pdf [Date accessed: 30.6.15]

306 Families Outside (2010). Perspectives of Children and Young People with a Parent in Prison.
http://www.familiesoutside.org.uk/content/uploads/2011/02/child-impact-statements-stage2.pdf   [Date accessed:
8.6.15]

307 Families Outside (2013). Financial Impact of Imprisonment on Families.
http://www.familiesoutside.org.uk/content/uploads/2013/10/financial-impact-imprisonment-families.pdf [Date accessed:
8.6.15]

308 Scottish Prison Service (2013). Standards for Encouraging Family Contact. http://insidetime.org/resources/Policy/SPS-
Standards-for-Family-Contact_Mar13.pdf [Date accessed: 8.6.15]

309 Barnardo's Scotland (2015). Barnardo's Scotland response to the consultation on Support for Children (Impact of
Parental Imprisonment) Bill – April 2015.   The projects are referenced in a consultation response by Barnardo's, accessible

here: http://www.barnardos.org.uk/barnardo_s_response_-_support_for_children impact _of _parental _imprisonment bill.pdf [date accessed: 8.6.15]

310 Pugh, G. and Lanskey, C. (2011) "'Dads Inside and Out': study of risk and protective factors in the resettlement of imprisoned fathers with their families". Conference paper for What's new in Research and Evaluation? Informing our work with prisoners and offenders and their families. Institute of Criminology, University of Cambridge, 19 May 2011. http://www.crim.cam.ac.uk/events/conferences/dads_inside_and_out/ [Date accessed: 30.6.15]; and

Families Outside, with Dr Liz Brutus (2011) "Prisoners' Families: The value of family support work," In Brief 6. http://www.familiesoutside.org.uk/content/uploads/2011/10/In-Brief-6_singles.pdf [Date accessed: 30.6.15]; and

Families Outside (2010). "Prison Visitors' Centres: An Ongoing Debate," In Brief 5. Edinburgh: Families Outside. http://www.familiesoutside.org.uk/content/uploads/2011/02/in-brief-5.pdf [Date accessed: 30.6.15]

311 Families Outside (2009). Edinburgh Prison Visitors Centre, survey of visitors and staff. http://www.familiesoutside.org.uk/content/uploads/2013/10/edin-visitors-survey-2009.pdf [Date accessed: 8.6.15]

312 Loucks, N. (2002) Just Visiting? A Review of the Role of Prison Visitors' Centres. London: Federation of Prisoners' Families Support Groups (now Action for Prisoners' Families) and the Prison Reform Trust. http://www.prisonreformtrust.org.uk/Portals/0/Documents/just%20visiting%20the%20role%20of%20prison%20visitors%27centres.pdf [Date accessed: 30.6.15]

313 HM Inspector for Prisons in Scotland 2012-13 (2013). HM Chief Inspector of Prisons for Scotland Annual Report 2012-13. http://www.gov.scot/Resource/0042/00423781.pdf [Date accessed: 8.6.15]

314 The Robertson Trust (2013). Good Practice in Working with Families Affected by Prison. http://s3-eu-west-1.amazonaws.com/files.therobertsontrust.org.uk/2013_08_30_Good_Practice_in_Working_with_Families_of_Offenders.pdf [Date accessed: 8.6.15]

315 HM Inspector for Prisons in Scotland 2012-13 (2013). HM Chief Inspector of Prisons for Scotland Annual Report 2012-13. http://www.gov.scot/Resource/0042/00423781.pdf [Date accessed: 8.6.15]

316 Families Outside and Loucks, Nancy (2013). Prison Visitors Centres, an opportunity for engagement. http://www.ssks.org.uk/media/96367/adp%20chairs%20event_prison%20visitors%20centres_11%20june%202013.pdf [Date accessed: 8.6.15]

317 Families Outside (2009). Child and Family Impact Assessments in Court: Implications for policy and practice. http://www.familiesoutside.org.uk/content/uploads/2011/02/child-impact-statements-stage1.pdf [Date accessed: 8.6.15]

318 Families Outside (2009). Child and Family Impact Assessments in Court: Implications for policy and practice. http://www.familiesoutside.org.uk/content/uploads/2011/02/child-impact-statements-stage1.pdf [Date accessed: 8.6.15]

319 Scotland's Commissioner for Children and Young People (2008). Not Seen. Not Heard. Not Guilty. The rights and status of the children of prisoners in Scotland. http://www.sccyp.org.uk/uploaded_docs/adult%20reports/not%20seen%20not%20heard%20not%20guilty%20compress.pdf [Date accessed: 25.6.15]

320 Forces Children's Trust (2014). The Effects of Deployment on Military Children. http://www.forceschildrenstrust.org/news/43-news/452-a-research-summary-on-the-effects-of-deployment-on-military-children-funded-by-the-fct.html#.VXFnjUZ0cps [Date accessed: 8.6.15]

321 Royal Caledonian Education Trust (2012). Force Kids- This is my life. https://vimeo.com/59054292 [Date accessed: 8.6.15]

322 UK Government (2014). The Fifth Periodic Report to the UN Committee on the Rights of the Child. http://tbinternet.ohchr.org/Treaties/CRC/Shared%20Documents/GBR/CRC_C_GBR_5_6749_E.docx [Date accessed: 20.5.15]

323 Scottish Government (2008). Equally Well: report of the ministerial taskforce on health inequalities. http://www.gov.scot/Resource/Doc/229649/0062206.pdf [Date accessed: 26.05.15]

--- Page 74 ---
UK Implementation of the Convention on the Rights of the Child
NGO alternative report to the Committee on the Rights of the Child – SCOTLAND
Together (Scottish Alliance for Children's Rights)   July 2015

324 Scottish Government (2013). Equally Well: review 2013. http://www.gov.scot/Resource/0044/00446171.pdf [Date accessed: 26.05.15]

325 Scottish Government (2013). Equally Well: review 2013. http://www.gov.scot/Resource/0044/00446171.pdf [Date accessed: 26.05.15]

324 Scottish Government (2010). Equally Well: review 2010. http://www.gov.scot/Resource/Doc/315880/0100454.pdf [Date accessed 26.5.15]

327 NHS Health Scotland (2013). What would it take to eradicate health inequalities? Testing the fundamental causes theory of health inequalities in Scotland. http://www.scotpho.org.uk/downloads/scotphoreports/scotpho131018_whatwouldittake_report.pdf [Date accessed: 26.05.15]

328 Scottish Parliament (2015). Health and Sport Committee: Report on Health Inequalities. http://www.scottish.parliament.uk/S4_HealthandSportCommittee/Reports/her-15-01w-rev.pdf [Date accessed: 17.6.15]

329 SPICe (2014). SPICe Briefing: Health inequalities and the early years. http://www.scottish.parliament.uk/ResearchBriefingsAndFactsheets/S4/SB_14-41.pdf [Date accessed: 18.6.15]

330 An LGBT Youth Scotland survey of 350 young people found that 445% of LGBT young people did not feel safe and supported by the NHS – this was even lower (56.9%) for LGBT young women and transgender young people (51.9%) See: LGBT Youth Scotland (2013). Life in Scotland for LGBT Young People: Health report. https://www.lgbtyouth.org.uk/files/documents/Life_in_Scotland_for_LGBT_Young_People_Health_Report.pdf [Date accessed: 26.05.15]

331 Glasgow Centre for Population Health (2008). Perceived Barriers in Accessing Healthcare Services: Asylum Seekers and Refugee (ASRs) and Service Providers' Perspectives. http://www.gcph.co.uk/assets/0000/0389/GCPH_briefing_paper_FS_134.pdf [Date accessed: 29.6.15]

332 Waverley Care (2009). A cross sector needs assessment of children infected and affected by HIV in Scotland Report. http://www.waverleycare.org/wp-content/uploads/2015/03/I-want-to-be-like-the-others.pdf [Date accessed: 30.6.15]

333 Audit Scotland (2012). Health Inequalities in Scotland. http://www.audit-scotland.gov.uk/docs/health/2012/nr_121213_health_inequalities.pdf [Date accessed: 25.6.15]

334 The James Hutton Institute (2011). Health Services and Disadvantage: Access and attitudes to health service provision in rural and urban areas of Scotland and the effects of disadvantage. http://www.hutton.ac.uk/sites/default/files/files/vlcc/Health-services-and-disadvantage.pdf [Date accessed: 29.6.15]

335 Elsley, S. et al. (2013). Children and young people's experiences of, and views on, issues relating to the implementation of the United Nations Convention on the Rights of the Child. http://www.gov.scot/Resource/0042/00427287.pdf [Date accessed: 21.5.15]

336 Elsley, S. et al. (2013). Children and young people's experiences of, and views on, issues relating to the implementation of the United Nations Convention on the Rights of the Child. http://www.gov.scot/Resource/0042/00427287.pdf [Date accessed: 21.5.15]

337 Scottish Government (2014). Family Nurse Partnership. http://www.gov.scot/Topics/People/Young-People/early-years/parenting-early-learning/family-nurse-partnership [Date accessed: 27.5.15]

338 Scottish Government (2014). Evaluation of the Family Nurse Partnership Programme in NHS Lothian, Scotland. http://www.gov.scot/Resource/0044/00444851.pdf [Date accessed: 26.5.15]

339 Royal College of Paediatrics and Child Health Scotland (2014). Why children die: death in infants, children and young people in the UK: Part D http://www.rcpch.ac.uk/sites/default/files/page/Death%20in%20Children%20and%20Young%20People%20in%20the%20UK%20-%20Part%20D%20-%20FINAL.pdf [Date accessed: 24.6.15]

340 Scottish Government (2015). Early Years Collaborative. http://www.scotland.gov.uk/Topics/People/Young-People/early-years/early-years-collaborative [Date accessed: 4.6.15]

UK Implementation of the Convention on the Rights of the Child
NGO alternative report to the Committee on the Rights of the Child – SCOTLAND
Together (Scottish Alliance for Children's Rights)   July 2015

341 Scottish Government (2014). The Early Years Collaborative (EYC). Stock Take Review of Years 1 and 2. http://www.gov.scot/Resource/0047/00473734.pdf [Date accessed: 27.5.15]

342 This should include the development of a national assessment framework system for Early Learning and Childcare, to be used by a range of early years professionals and which is sensitive to the Scottish context regarding assessment. This should be accompanied by a recording system with the potential to follow the child and to support transitions. See: Scottish Government (2015). An Independent Review of the Scottish Early Learning and Childcare (ELC) Workforce and Out of School Care (OSC) Workforce. http://www.gov.scot/Publications/2015/06/5902/3 [Date accessed: 18.6.15]

343 Scottish Government (2008). Early Years and Early Intervention: A joint Scottish Government and COSLA policy statement. http://www.gov.scot/Resource/Doc/215889/0057733.pdf [Date accessed: 26.5.15]

344 Royal College of Nursing Scotland (no date). The Importance for Scotland of Health Visiting in the Early Years. http://www.rcn.org.uk/__data/assets/pdf_file/0010/499843/Joint_briefing_on_health_visitors.pdf [Date accessed: 26.5.15]

345 Scottish Government (no date). Finance Committee call for evidence: submission from the Royal College of Nursing (Scotland). http://www.scottish.parliament.uk/S4_FinanceCommittee/Royal_College_of_Nursing_Scotland_1.pdf [Date accessed 26.5.15]

346 Scottish Government (2014). 500 New Health Visitors. http://news.scotland.gov.uk/News/500-new-health-visitors-ddc.aspx [Date accessed: 26.5.15]

347 This echoes a recommendation included in: Scotland's Commissioner for Children and Young People (2014). Commissioner welcomes Scottish Government's Health Visitors pledge. http://www.sccyp.org.uk/news/in-the-news/commissioner-welcomes-scottish-governments-health-visitors-pledge [Date accessed: 26.5.15]

348 UNICEF (2009). The UNICEF UK Baby Friendly Initiative: Improving the health of the UK through breastfeeding. http://www.unicef.org.uk/Documents/Publications/BFIbrief09.pdf [Date accessed: 26.5.15]

349 UNICEF (2013). The evidence and rationale for the UNICEF UK Baby Friendly Initiative Standards. http://www.unicef.org.uk/documents/baby_friendly/research/baby_friendly_evidence_rationale.pdf [Date accessed: 26.5.15]

350 UK Government (2014). The Fifth Periodic Report to the UN Committee on the Rights of the Child. http://tbinternet.ohchr.org/Treaties/CRC/Shared%20Documents/GBR/CRC_C_GBR_5_6749_E.docx [Date accessed: 20.5.15]

351 Scottish Government (2011). Improving Maternal and Infant Nutrition: A Framework for Action. http://www.gov.scot/Resource/Doc/337658/0110855.pdf [Accessed: 29.6.15]

352 Information Services Division Scotland and NHS Scotland (2014). Breastfeeding statistics. http://www.isdscotland.org/Health-Topics/Child-Health/Publications/2014-10-28/2014-10-28-Breastfeeding-Report.pdf [Date accessed: 26.5.15]

353 Skafida, V. (2014). Change in breastfeeding patterns in Scotland between 2004 and 2011 and the role of health policy. European Journal of Public Health, 1-8. Oxford University Press. http://eurpub.oxfordjournals.org/content/early/2014/03/17/eurpub.cku029.full-text.pdf [Date accessed: 26.5.15]

354 Scottish Government (2013). Infant feeding: Breastfeeding and weaning amongst mothers in Scotland. http://www.gov.scot/Resource/0041/00414633.pdf [Date accessed: 26.5.15]

355 Information Services Division Scotland and NHS Scotland (2014). Breastfeeding statistics. https://isdscotland.scot.nhs.uk/Health-Topics/Child-Health/Publications/2014-10-28/2014-10-28-Breastfeeding-Summary.pdf?20092409850 [Date accessed: 26.5.15]

356 Scottish Government (2014). School Inclusion: Additional Support Needs High Level Summary of Statistics Trend. http://www.scotland.gov.uk/Topics/Statistics/Browse/School-Education/TrendSpecialEducation [Date accessed: 5.6.15]

357 Scottish Government (2012). The Conversations Project: A report to the Steering Group of The National Review of Services for Disabled Children and Young People. http://www.gov.scot/Resource/0039/00395693.pdf [Date accessed: 21.5.15]

--- Page 76 ---
UK Implementation of the Convention on the Rights of the Child
NGO alternative report to the Committee on the Rights of the Child – SCOTLAND
Together (Scottish Alliance for Children's Rights)   July 2015

358 The Long Term Conditions Alliance (2011). Scotland's Disabled Children Liaison Project: "I want to be treated the same as my brothers". http://www.fsdc.org.uk/assets/files/Quality%20of%20Life%20Full%20Report.pdf [Date accessed: 21.5.15]

359 Inclusion Scotland has noted that under the new UK Government 'Universal Credit' reforms, families with a disabled child will suffer a reduced income. See: Inclusion Scotland (2014). Our Voices, Our Choices. (unpublished)

360 Office of the Children's Commissioner (2013). "We want to help people see things our way": A rights-based analysis of disabled children's experience living with low income. http://www.childrenscommissioner.gov.uk/content/publications/content_725 [Date accessed: 21.5.15]

361 Scottish Government Social Research (2013). The Impact of Disability on the Lives of Young Children: Analysis of Growing Up in Scotland Data. Social Research Findings 69/2013. http://www.gov.scot/Publications/2013/09/2428 [Date accessed: 20.5.15]

362 A significant tightening of eligibility criteria for social care services in Scotland has meant that 1 in 7 people who accessed social care services five years ago can no longer do so. This will impact on both disabled children and children of parents with a disability. See: Learning Disability Alliance Scotland (2014). 20,000 lose out. http://www.ldascotland.org/docs/2014%20Eligibility%20Criteria%20Report%20final.pdf [Date accessed: 22.5.15]

363 Scotland's Commissioner for Children and Young People (2013). It always comes down to money. http://www.sccyp.org.uk/ufiles/It-always-comes-down-to-money.pdf [Date accessed: 21.5.15]

364 Scottish Government (2013). Developing an Outcomes Model for Disabled Children and Young People in Scotland. http://www.gov.scot/Resource/0043/00434117.pdf [Date accessed: 21.5.15]

365 This was despite calls from disabled children's organisations. See: Scottish Government (2014). Children and Young People (Scotland) Act 2014. http://www.gov.scot/Resource/0043/00434117.pdf [Date accessed: 20.5.15]

366 Independent Living in Scotland (2015). Ready for action too? The rights and reality of disabled people's lives and the changes needed to improve this. http://www.ilis.co.uk/uploads/docs/Ready%20for%20action%20too_FINAL.pdf [Date accessed: 17.6.15]

367 Together (2014) State of Children's Rights in Scotland. http://togetherscotland.org.uk/pdfs/SOCRRTogetherReport2014.pdf [Date accessed: 17.6.15]

368 UK Government (2014). The Fifth Periodic Report to the UN Committee on the Rights of the Child. http://tbinternet.ohchr.org/Treaties/CRC/Shared%20Documents/GBR/CRC_C_GBR_5_6749_E.docx [Date accessed: 20.5.15]

369 Scottish Government (2013). Social Care (Self-Directed Support) Act 2013. http://www.legislation.gov.uk/asp/2013/1/pdfs/asp_20130001_en.pdf [Date accessed: 22.5.15]

370 The Alliance (2015). Disabled Children's Rights: The United Nations Convention on the Rights of the Child [to be published.]

371 The Alliance (2015). Disabled Children's Rights: The United Nations Convention on the Rights of the Child [to be published.]

372 The Alliance (2015). Disabled Children's Rights: The United Nations Convention on the Rights of the Child [to be published.]

373 This echoes the recommendation made by the UK Independent Mechanism in its List of Issues Interim Report to the UN Committee on the Rights of Persons with Disabilities). See: The UK Independent mechanism (2014). Monitoring the Implementation of the UN Convention on the Rights of Persons with Disabilities: list of issues interim report. http://www.equalityhumanrights.com/sites/default/files/publication_word/Monitoring%20the%20Implementation%20of%20the%20UNCRPD%20%282%29.doc [Date accessed: 21.5.15]

374 The Long Term Conditions Alliance (2011). Scotland's Disabled Children Liaison Project: "I want to be treated the same as my brothers". http://www.fsdc.org.uk/assets/files/Quality%20of%20Life%20Full%20Report.pdf [Date accessed: 21.5.15]

375 Glasgow Disability Alliance (2010). Rights to Reality: A Framework of Action for Independent Living in Scotland 2013 to 2015. http://www.gdaonline.co.uk/fileuploads/GDA-Manifesto2011.pdf [Date accessed: 21.5.15]

UK Implementation of the Convention on the Rights of the Child
NGO alternative report to the Committee on the Rights of the Child – SCOTLAND
Together (Scottish Alliance for Children's Rights)   July 2015

376 ENABLE Scotland (2014). *Equal opportunities committee: Age and social isolation: Submission from ENABLE Scotland.* http://www.scottish.parliament.uk/S4_EqualOpportunitiesCommittee/Inquiries/Enable.pdf [Date accessed: 21.5.15]

377 Scottish Government (2011). *Report of the National Review of Services for Disabled Children.* http://www.gov.scot/Resource/Doc/342923/0114135.pdf [Date accessed: 26.5.15]

378 National Deaf Children's Society (2014). *Close the Gap: Promoting positive post-school transitions for deaf young people in Scotland.* http://www.ed.ac.uk/polopoly_fs/1.139615!/fileManager/Close-the-Gap-Report-2014.pdf [Date accessed 4.6.15]

379 Scottish Transitions Forum (2013). *Principles of Good Transitions #1: For Young People with Additional Support Needs.* http://scottishtransitions.org.uk/wp-content/uploads/Principles-of-good-transitions-planning-April-2013.pdf [Date accessed 4.6.15]

380 Scottish Government and Haughey (2011). *Report on implementation of school to post-school transitional planning for children and young people with additional support needs.* http://scottishtransitions.org.uk/report-on-implementation-of-school-to-post-school-transitional-planning-for-children-and-young-people-with-additional-support-needs/?topicfrom=education [Date accessed: 26.5.15]

381 Scotland's Commissioner for Children and Young People (2013). *It Always Comes Down to Money: Recent changes in service provision to disabled children, young people and their families in Scotland.* http://www.sccyp.org.uk/ufiles/It-always-comes-down-to-money.pdf [Date accessed 4.6.15]

382 Scottish Government (2012). *The Conversations Project: A report to the Steering Group of The National Review of Services for Disabled Children and Young People.* http://www.gov.scot/Resource/0039/00395693.pdf [Date accessed 4.6.15]

383 Scottish Government and Haughey (2011). *Report on implementation of school to post-school transitional planning for children and young people with additional support needs.* http://scottishtransitions.org.uk/report-on-implementation-of-school-to-post-school-transitional-planning-for-children-and-young-people-with-additional-support-needs/?topicfrom=education [Date accessed 4.6.15]

384 National Deaf Children's Society (2014). *Close the Gap: Promoting positive post-school transitions for deaf young people in Scotland.* http://www.ed.ac.uk/polopoly_fs/1.139615!/fileManager/Close-the-Gap-Report-2014.pdf [Date accessed 4.6.15]

385 Scottish Government (2004). *Education (Additional Support for Learning) (Scotland) Act 2004.* http://www.legislation.gov.uk/asp/2004/4/contents [Date accessed: 5.6.15]

386 More information on the Scottish policy context for transitions can be found here: Scottish Transitions Forum (2013). *Principles of Transition: Brief Policy Summary.* http://scottishtransitions.org.uk/brief-policy-summary/?topicfrom=policy-and-how-it-effects-you [Date accessed: 5.6.15]

387 Contact a Family (amended 2014). *Preparing for adult life and transition – Scotland.* http://www.cafamily.org.uk/media/379959/transitionscot_web_amended_11_feb_2014.pdf [Date accessed: 5.6.15]

388 As the Education (Additional Support for Learning) (Scotland) Act 2009 and supporting code of practice make it clear, it is anticipated that any child or young person with additional support needs should have a transition plan in place. See: Scottish Government (2009). *Education (Additional Support for Learning) (Scotland) Act 2009.* http://www.legislation.gov.uk/asp/2009/7/pdfs/asp_20090007_en.pdf [Date accessed: 21.5.15]

389 As highlighted by the Scottish Transitions Forum '7 key principles'. See: Scottish Transitions Forum (2014). *Principles of Good Transitions 2.* http://scottishtransitions.org.uk/wp-content/uploads/principlesofgoodtransition-arc-scotland.pdf [Date accessed: 21.5.15]

390 This is in line with a report commissioned by Scottish Government on the views of children and young people in relation to implementation of the UNCRC in Scotland. See: Elsley, S. et al. (2013). *Children and young people's experiences of, and views on, issues relating to the implementation of the United Nations Convention on the Rights of the Child.* http://www.gov.scot/Resource/0042/00427287.pdf [Date accessed: 21.5.15]

--- Page 78 ---
UK Implementation of the Convention on the Rights of the Child
NGO alternative report to the Committee on the Rights of the Child – SCOTLAND
Together (Scottish Alliance for Children's Rights)   July 2015

391 NHS Scotland (2013). Scotland's Mental Health: Children and young people 2013. http://www.scotpho.org.uk/downloads/scotphoreports/scotpho131219-mhcyp2013-fullreportv2.pdf [Date accessed: 26.5.15]

392 Scottish Government (2010). Maternal mental health and its impact on child behaviour and development. http://www.gov.scot/resource/doc/310448/0097971.pdf [Date accessed: 26.5.15]

393 Mental Disability Advocacy Centre and University of Leeds (2015). Access to Justice for Children with Mental Disabilities: European Standards and Findings from Ten EU Member States. http://eurochild.org/fileadmin/public/02_Events/2015/Others/ATJ_Standards_Report_ExSum.pdf [Date accessed: 26.5.15]

394 ENABLE Scotland (2014). Equal opportunities committee: Age and social isolation: Submission from Enable Scotland. http://www.scottish.parliament.uk/S4_EqualOpportunitiesCommittee/Inquiries/Enable.pdf [Date accessed: 21.5.15]

395 Mental Welfare Commission for Scotland (2014). Statistical Monitoring: Young People Monitoring 2013-14. http://www.mwcscot.org.uk/media/203515/young_person_monitoring_2013_2014.pdf [Date accessed: 26.5.15]

396 From 141 young people in 2011-2012 to 202 in 2013-2014. See: Mental Welfare Commission for Scotland (2014). Statistical Monitoring: Young People Monitoring 2013-14. http://www.mwcscot.org.uk/media/203515/young_person_monitoring_2013_2014.pdf [Date accessed: 26.5.15]

397 Action for Sick Children Scotland (2013). Parental Access and Family Facilities Survey 2012/13. http://www.cen.scot.nhs.uk/files/ASC_Parental_Access_Family_Facilities_Survey_report.pdf [Date accessed: 26.5.15]

398 Children are also still admitted to adult wards in relation to physical health. See: Action for Sick Children Scotland (2013). Parental Access and Family Facilities Survey 2012/13. http://www.cen.scot.nhs.uk/files/ASC_Parental_Access_Family_Facilities_Survey_report.pdf [Date accessed: 26.5.15]

399 Scottish Government (2012). Mental Health Strategy for Scotland 2012-2015. http://www.gov.scot/Resource/0039/00398762.pdf [Date accessed: 26.5.15]

400 Young Minds (2013). Same Old: the experiences of young offenders with mental health needs. http://www.youngminds.org.uk/assets/0000/9472/Barrow_Cadbury_Report.pdf [Date accessed: 26.5.15]

401 LGBT Scotland (2013). Life in Scotland for LGBT young people: Health report. https://www.lgbtyouth.org.uk/files/documents/Life_in_Scotland_for_LGBT_Young_People_Health_Report.pdf [Date accessed: 26.5.15]

402 Centre for Excellence for Looked After Children in Scotland (2013). Scotland's National Human Rights Action Plan: Getting It Right for Looked After Children and Care Leavers. http://www.celcis.org/media/resources/publications/Scotlands-National-Action-Plan-on-Human-Rights.pdf [Date accessed 26.5.15]

403 Audit Scotland (2009). Overview of mental health services. http://audit-scotland.gov.uk/docs/health/2009/nr_090514_mental_health.pdf [Date accessed: 26.5.15]

404 NHS Scotland (2015). Child and adolescent mental health services waiting times in Scotland. https://isdscotland.scot.nhs.uk/Health-Topics/Waiting-Times/Publications/2015-02-24/2015-02-24-CAMHS-Report.pdf?99872988463 [Date accessed: 26.5.15]

405 Scottish Government (2015). Heat Target. http://www.gov.scot/About/Performance/scotPerforms/partnerstories/NHSScotlandperformance/CAMHS18weeks [Date accessed: 26.5.15]

406 Scottish Children's Services Coalition (2015). Briefing in advance of Scottish Government debate on mental health, Tuesday 6th January 2015. http://www.thescsc.org.uk/wp-content/uploads/2015/04/scsc_publications_157_2801268531.pdf [Date accessed: 26.5.15]

407 Scottish Children's Services Coalition (2015). Briefing in advance of Scottish Government debate on mental health, Tuesday 6th January 2015. http://www.thescsc.org.uk/wp-content/uploads/2015/04/scsc_publications_157_2801268531.pdf [Date accessed: 26.5.15]

408 Scottish Government (2015). £100 Million for Mental Health. http://news.scotland.gov.uk/News/-100-million-for-mental-health-1919.aspx [Date accessed: 18.6.15]

409 Brook and the Family Planning Association (2013). *Unprotected Nation: The Financial and Economic Impacts of Restricted Contraceptive and Sexual Health Services.* http://www.fpa.org.uk/sites/default/files/unprotected-nation-executive-summary.pdf [Date accessed: 26.5.15]

410 The Scottish Parliament (2013). *Report on Inquiry into Teenage Pregnancy.* http://www.scottish.parliament.uk/S4_HealthandSportCommittee/Reports/heR-13-05w.pdf [Date accessed: 26.5.15]

411 Scottish Youth Parliament (2014). *Response to Draft Guidance on the Conduct of Relationships, Sexual Health and Parenthood Education in Scottish schools.* http://www.syp.org.uk/img/consultations/Sex%20Education%20Guidance%20-%20SYP%20Response.pdf [Date accessed: 18.6.15]

412 NHS Health Scotland (2010) *Youth Voices.* http://www.walk-the-talk.org.uk/ [Date accessed: 26.5.15]

413 NHS Health Scotland (2010) *Youth Voices.* http://www.walk-the-talk.org.uk/ [Date accessed: 26.5.15]

414 The Scottish Parliament (2013). *Report on Inquiry into Teenage Pregnancy.* http://www.scottish.parliament.uk/S4_HealthandSportCommittee/Reports/heR-13-05w.pdf [Date accessed: 26.5.15]

415 NHS Health Scotland (2010) *Youth Voices.* http://www.walk-the-talk.org.uk/ [Date accessed: 26.5.15]

416 NHS Scotland (2014). *Teenage Pregnancy: Year ending 31st December 2012.* https://isdscotland.scot.nhs.uk/Health-Topics/Sexual-Health/Publications/2014-06-24/2014-06-24-TeenPreg-Summary.pdf?12539309264

417 Scottish Government (2011). *Sexual Health and Blood Borne Virus Framework 2011-2015.* http://www.gov.scot/Resource/Doc/356286/0120395.pdf [Date accessed: 30.6.15]

418 Scottish Government (2014). *Poverty and income inequality in Scotland: 2012/13* www.gov.scot/Publications/2012/06/7976/0 { date accessed: 8.6.15]

419 End Child Poverty (2014). *Child Poverty Map of the UK. Mapping exercise of numbers of children living in poverty in each Scotland local authority.* http://www.endchildpoverty.org.uk/images/ecp/Report_on_child_poverty_map_2014.pdf [Date accessed 8.6.15]

420 *The level of child poverty is significantly higher than in other European countries* Child Poverty Action Group (2011). *Poverty in Scotland.* Page 70 & Page 74. International comparisons are for 2008 on a before housing costs basis under which 21% of Scotland's children live in poverty. http://www.cpag.org.uk/sites/default/files/CPAG_povinscotland2011_download_0.pdf [Date accessed: 30.6.15]

421 Save the Children (2014) *A Fair Start for Every Child in Scotland.* www.savethechildren.org.uk/.../online-library/fair-start-every-child [Date accessed: 8.6.15]

422 There has been a rise in the price of food by 19 percentage points more than the general price level between 2005 and 2014. See: Save the Children (2014). *A Fair Start for Every Child: Why we must act now to tackle child poverty in Scotland.* http://www.savethechildren.org.uk/sites/default/files/images/A_Fair_Start_for_Every_Child.pdf [Date accessed: 20.6.15]

423 There has been an increase in the cost of a nursery place for a child over two in Scotland of 31% between 2009 and 2014 and by 26% for a child under two over the same period. See: Family and Daycare Trust (2014). *The 2014 Scottish Childcare Report.* http://fct.bigmallet.co.uk/sites/default/files/files/The_2014_Scottish_Childcare_Report_FINAL.pdf#overlay-context=annual-childcare-costs-surveys [Date accessed: 25.6.15]

424 Save the Children (2014) *A Fair Start for Every Child in Scotland.* www.savethechildren.org.uk/.../online-library/fair-start-every-child [Date accessed: 8.6.15]

425 The Trussell Trust (2015). *Statistics for the Use of Foodbanks, 2008-2014.* http://www.trusselltrust.org/stats [Date accessed: 8.6.15]

426 Scottish Parliament (2014). *Welfare Reform Committee, second report 2013: Foodbanks and welfare reform.* http://www.scottish.parliament.uk/S4_Welfare_Reform_Committee/Reports/wrr-14-02w.pdf [Date accessed: 8.6.15

427 All Parliamentary Group on School Food (2014). *Filling the holiday hunger gap.* http://accordgroup.org.uk/filemanager/resources/Filling%20the%20holiday%20hunger%20gap%20report.pdf [Date accessed: 26.6.15]

UK Implementation of the Convention on the Rights of the Child
NGO alternative report to the Committee on the Rights of the Child – SCOTLAND
Together (Scottish Alliance for Children's Rights)   July 2015

428 North Ayrshire Council (2015). Schools open for fun and food over Easter. http://www.north-ayrshire.gov.uk/news/SchoolsopenforfunandfoodoverEaster.aspx [Date accessed: 24.6.15]

429 This also includes going on school trips and having basics such as housing and food. Research was conducted by Save the Children Scotland and Scotland's Commissioner for Children and Young People reported on the views of nearly one thousand young people aged between 11 and 18, to examine young people's views on how to better support young people experiencing poverty to achieve at school – and in life. See: http://www.savethechildren.org.uk/sites/default/files/images/Learning_Lessons.pdf [Date accessed: 20.6.15]

430 As part of this campaign, the Scottish Youth Parliament conducted research with children and young people aged 12-25 from 23 February 2015 to 13 April 2015. The survey received 910 responses from young people across Scotland. See: Scottish Youth Parliament (2015). The views of children and young people on rights and poverty. [To be published.]

431 This is to comply with the duties under the Child Poverty (Scotland) Act. See: Scottish Government (2010). Child Poverty (Scotland) Act 2010. http://www.legislation.gov.uk/ukpga/2010/9/contents [Date accessed: 26.6.15]

432 Scottish Government (2014). Child Poverty Measurement Framework – The Wider Evidence Base. http://www.gov.scot/Resource/0045/00457209.pdf [Date accessed: 29.6.15]

433 Together (2014). State of Children's Rights in Scotland. Page 72. http://togetherscotland.org.uk/pdfs/SOCRRTogetherReport2014.pdf [Date accessed: 22.6.2015]

434 Save the Children (2012) Local Action to Tackle Child Poverty. http://www.savethechildren.org.uk/sites/default/files/images/Local-action-tackle-poverty-Scotland.pdf [Date accessed: 29.6.15]

435 Save the Children (2012) Local Action to Tackle Child Poverty. http://www.savethechildren.org.uk/sites/default/files/images/Local-action-tackle-poverty-Scotland.pdf [Date accessed: 29.6.15]

436 Scottish Government (2014). The Impact of Welfare Reform, Tracking Study. http://news.scotland.gov.uk/imagelibrary/downloadmedia.ashx?MediaDetailsID=2891&SizeId=-1 [Date accessed: 29.6.15]

437 Scottish Government (2014). Poverty and income inequality in Scotland: 2012-13. www.gov.scot/Publications/2012/06/7976/0   {Date accessed: 8.6.15]

438 Citizens Advice Scotland (2014). Sanctioned: what Benefit? http://www.cas.org.uk/system/files/publications/Sanctioned+What+benefit.pdf   [Date accessed: 8.6.15]

439 Child Poverty Action Group in Scotland (2014). Policy Bulletin on Benefit Delays. http://www.cpag.org.uk/sites/default/files/Policy%20Bulletin%201b.pdf [Date accessed: 29.6.15]

440 UK Government (2013). Fifth Periodic Report to the UN Committee on the Rights of the Child. http://tbinternet.ohchr.org/Treaties/CRC/Shared%20Documents/GBR/CRC_C_GBR_5_6749_E.docx [Date accessed: 17.6.15]

441 Scottish Government (2014).   Child Poverty and Welfare Reform.   http://news.scotland.gov.uk/News/Child-Poverty-and-welfare-reform-d21.aspx   [Date accessed: 8.6.15]

442 Glasgow Centre for Population Health (2013).   The Rise of In-Work Poverty and the Changing Nature of Work and Poverty in Scotland. http://www.gcph.co.uk/assets/0000/4018/In-work_poverty_FINAL_Oct.pdf [Date accessed: 8.6.15]

443 Scottish Government (2014). The Impact of Welfare Reform in Scotland.   Financial insecurity and feelings of stigma and anxiety about the future can impact on a claimant's health, which could negatively an impact on children. http://www.gov.scot/Resource/0044/00449882.pdf   [Date accessed: 8.6.15]

444 Barnardo's Scotland and NSPCC Scotland (2014). Challenges from the frontline: Supporting families with multiple adversities in a time of austerityhttp://www.nspcc.org.uk/globalassets/documents/research-reports/challenges-frontline-scotland-multiple-adversities-report.pdf [Date accessed: 29.6.15]

445 'Austerity' measures on public sector employment and severe cuts in welfare spending has had a disproportionate impact on women's incomes. See: WiSE and Save the Children (2012). Briefing Sheet: Child poverty and mothers employment.

UK Implementation of the Convention on the Rights of the Child
NGO alternative report to the Committee on the Rights of the Child – SCOTLAND
Together (Scottish Alliance for Children's Rights)   July 2015

*https://www.gcu.ac.uk/media/gcalwebv2/theuniversity/centresprojects/wise/A4%20WiSE%20Briefing%20Paper.pdf
[Date accessed: 8.6.15]*

*446 Scottish Government (2013).   The Gender Impact of Welfare Reform.
http://www.gov.scot/resource/0043/00432337.pdf   [Date accessed: 8.6.15]*

*447 Where women's disposable income is reduced, spending on children decreases and links between women's and child
poverty are widely recognised. Of the £26 billion in changes to taxes and benefits by UK Government since June 2010, £22
billion will be borne by women and £4 billion by men. See: Engender (2015). A Widening Gap.
http://www.engender.org.uk/content/publications/A-Widening-Gap---Women-and-Welfare-Reform.pdf [Date accessed:
26.6.15]*

*448 Engender (2015). A Widening Gap. http://www.engender.org.uk/content/publications/A-Widening-Gap---Women-and-
Welfare-Reform.pdf [Date accessed: 26.6.15]*

*449 The benefits cap is a limit on the total amount of certain benefits someone can get if they are working age. The Benefit
Cap will affect someone if they receive Housing Benefit or Universal Credit. The total amount someone can claim in benefits
is currently: £500 per week for single parents and couples with children, and £350 per week for single people. See:
http://cpag.org.uk/category/keywords/benefit-cap [Date accessed: 26.6.15]*

*450 The 'bedroom tax' is a UK Government welfare reform policy which restricts the size of accommodation you can receive
housing benefit or universal credit for, based on the number of people in your household. See:
http://www.disabilityrightsuk.org/bedroom-tax [Date accessed: 22.5.15]*

*451 Child Poverty Action Group in Scotland (2014). Policy Bulletin 1A: Sanctions.
http://www.cpag.org.uk/sites/default/files/Policy%20Bulletin%20Sanctions%20follow%20up%20Nov14.pdf [Date accessed:
25.6.15]*

*452 Citizens Advice Scotland (2013). Voices from the frontline...the bedroom tax and disabled people.
http://www.cas.org.uk/system/files/publications/Voices%20from%20the%20Frontline...%20The%20bedroom%20tax%20an
d%20disabled%20people.pdf [Date accessed: 25.6.15]*

*453 Equality and Human Rights Commission (2014). Monitoring the Implementation of the UN Convention on the Rights of
Persons with Disabilities: The UK Independent mechanism list of issues interim report.
http://www.equalityhumanrights.com/sites/default/files/publication_pdf/Monitoring%20the%20Implementation%20of%2
0the%20UNCRPD%282%29.pdf [Date accessed: 25.6.15]*

*454 Scottish Government (2013). 'Help for people hit by bedroom tax.'
http://www.scotland.gov.uk/News/Releases/2013/03/social-welfare10032013 [Accessed 03.3.13]*

*455 Children's organisations have welcomed Scottish Government's decision to invest £13 million in 2014/15 for the
provision of free school lunches for all children in P1-P3 and the inclusion of an enabling provision in the CYP Act, which
gives Scottish Government the power to introduce regulations requiring local authorities to provide universal free school
lunches.   See: Scottish Government (2014). Children and Young People (Scotland) Act 2014.
http://www.legislation.gov.uk/asp/2014/8/contents/enacted [Date accessed: 29.6.15] [Date accessed: 25.6.15]*

*456 Scottish Government (2014). Scottish Budget Draft Budget 2015-16. Page 124.
http://www.scottish.parliament.uk/S4_EqualOpportunitiesCommittee/General%20Documents/SG_draft_budget.pdf [Date
accessed: 25.6.15]*

*457 From April 2013, changes to the DWP Social Fund scheme meant that Crisis Loans and Community Care Grants stopped.
These have been replaced by the Scottish Welfare Fund (SWF), delivered by councils. See: Scottish Government (2014).
Scottish Budget Draft Budget 2015-16 Page 124.
http://www.scottish.parliament.uk/S4_EqualOpportunitiesCommittee/General%20Documents/SG_draft_budget.pdf [Date
accessed: 25.6.15]*

*458 Scottish Parliament (2015).   Welfare Reform Committee, first report.
http://www.scottish.parliament.uk/S4_Welfare_Reform_Committee/Reports/wrr-15-01w.pdf   [Date accessed 8.6.15]*

*UK Implementation of the Convention on the Rights of the Child
NGO alternative report to the Committee on the Rights of the Child – SCOTLAND
Together (Scottish Alliance for Children's Rights)   July 2015*

459 Improvement Service (2014). The Impact of Welfare Reform in Scotland: Literature review. http://www.improvementservice.org.uk/documents/welfare_reform/impact-of-welfare-reform-in-scotland-literature-review.pdf [Date accessed: 8.6.15]

460 Joseph Rowntree Foundation (2014). Assessing the Social and Community Risks of Council Spending Cuts in Scotland. http://www.jrf.org.uk/publications/assessing-social-and-community-risks-council-spending-cuts-scotland [Date assessed: 8.6.15]

461 6 in 10 children living in poverty now live in families where at least one adult is in employment. See: Scottish Government (2014) Poverty and Income Inequality Scotland 2012-13. www.savethechildren.org.uk/.../online-library/fair-start-every-child [Date accessed: 8.6.15]

462 Scottish Government (2014) Poverty and Income Inequality Scotland 2012-13. www.gov.scot/Publications/2012/06/7976/0 [Date accessed: 8.6.15]

463 Child Poverty Action Group (2014). Cost of a child 2014. http://www.cpag.org.uk/sites/default/files/Cost_of_a_child_2014.pdf Date accessed: 25.6.15]

464 UK Government (2013). Fifth Periodic Report to the UN Committee on the Rights of the Child. Paragraph 5. http://tbinternet.ohchr.org/Treaties/CRC/Shared%20Documents/GBR/CRC_C_GBR_5_6749_E.docx [Date accessed: 17.6.15]

465 Save the Children (2014) A Fair Start for Every Child in Scotland. www.savethechildren.org.uk/.../online-library/fair-start-every-child [Date accessed: 8.6.15]

466 Joseph Rowntree Foundation (2014) Gypsy, Traveller and Roma: Experts by Experience 'Reviewing UK Progress on the European Union Framework for National Roma Integration Strategies'. http://ww2.anglia.ac.uk/ruskin/en/home/news/roma_report.Maincontent.0007.file.tmp/Experts%20by%20Experience.pdf [Date accessed: 25.6.15]

467 Article 12 in Scotland (2013). Work with the Gypsy/Traveller community of North Cairntow, Edinburgh. http://www.article12.org/resources/ [Date accessed: 25.6.15]

468 Scottish Government (2001). Housing (Scotland) Act 2001. http://www.legislation.gov.uk/asp/2010/17/contents/enacted [Date accessed: 25.6.2015]

469 Scottish Parliament (2012). Equal Opportunities Committee. Official Report, 6 December 2012, Col 765. http://www.scottish.parliament.uk/parliamentarybusiness/report.aspx?r=7904&mode=pdf [Date accessed: 25.6.15]

470 Equality and Human Rights Commission (2013). Gypsy Travellers In Scotland: A resource for the media. http://www.amnesty.org.uk/sites/default/files/ehrc_gypsy_travellers_in_scotland_media_resource_june_2013.pdf [Date accessed: 30.6.15]

471 Amnesty International (2012). On The Margins - Local authority service provision for Scottish Gypsy Travellers. http://amnesty.org.uk/uploads/documents/doc_22450.pdf [Date accessed: 25.6.15]

472 Gypsy Roma Traveller National Strategy Civil Society (2012-13). Monitoring on the implementation of the National Roma Integration Strategy. Roma Integration Strategy in the UK. http://www.birmingham.ac.uk/Documents/college-social-sciences/social-policy/iris/2014/UK-civil-society-monitoring-report-en-1.pdf [Date accessed: 25.6.15]

473 Scottish Parliament (2013). Equal Opportunities Committee: 1st Report, 2013 (Session 4) Where Gypsy/Travellers Live http://www.scottish.parliament.uk/S4_EqualOpportunitiesCommittee/Reports/eor-13-01w.pdf [Date accessed: 25.6.15]

474 Equality and Human Rights Commission (2015). Developing Successful Site Provision for Scotland's Gypsy/Traveller Communities. http://www.equalityhumanrights.com/sites/default/files/publication_pdf/Successful%20Site%20Provision%20Scotland.pdf [Date accessed: 25.6.15]

475 Planning Aid Scotland (2015). Gypsy/Travellers and the Scottish Planning System: A Guide for Local Authorities' http://www.pas.org.uk/wp-content/uploads/2015/03/GypsyTravellers-and-the-Scottish-Planning-System-A-Guide-for-Local-Aut....pdf [Date accessed: 15.6.15]

UK Implementation of the Convention on the Rights of the Child
NGO alternative report to the Committee on the Rights of the Child – SCOTLAND
Together (Scottish Alliance for Children's Rights)   July 2015

476 *This is line with the recommendations made by the UN Special Rapporteur on Housing: See http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session25/Documents/A_HRC_25_54_Add.2_ENG.DOC*

477 *Joseph Rowntree Foundation (2014). Closing the Attainment Gap in Scottish Education. http://www.jrf.org.uk/sites/files/jrf/education-attainment-scotland-summary.pdf [Date accessed: 3.6.15]*

478 *Save the Children (2012). Thrive at Five: Comparative child development at school-entry age. https://www.savethechildren.org.uk/sites/default/files/images/Thrive-at-Five-report.pdf [Date accessed: 3.6.15]*

479 *Scottish Parliament (2015). Education and Culture Committee: Official Report 9 June 2015. http://www.scottish.parliament.uk/parliamentarybusiness/report.aspx?r=10003&mode=pdf [Date accessed: 16/6/15]*

480 *Scottish Funding Council (2014). Measures of Success: Learning for All. Eighth update – statistics for 2012-13. http://www.sfc.ac.uk/web/FILES/Statistical_publications_SFCST062014_LearningforAlleighthupdatereportonmea/Learning_for_All_2014_report.pdf [Date accessed: 3.6.15]*

481 *Scottish Government (2014). Attainment and Leaver Destinations, supplementary data. http://www.gov.scot/Topics/Statistics/Browse/School-Education/leavedestla/follleavedestat [Date accessed: 3.6.15]*

482 *Data from the Organisation for Economic Cooperation and Development (OECD)'s PISA survey in 2012 showed a ten point reduction in the performance gap between disadvantaged and less advantaged pupils at age 15 across reading maths and science since 2009. See: OECD (2012). Programme for International Student Assessment (PISA): Results from PISA 2012, United Kingdom. http://www.oecd.org/unitedkingdom/PISA-2012-results-UK.pdf [Date accessed: 3.6.15]*

483 *Scottish Government (2014). Attainment and Leaver Destinations, supplementary data. http://www.gov.scot/Topics/Statistics/Browse/School-Education/leavedestla/follleavedestat [Date accessed: 3.6.15]*

484 *Scottish Government (2015). Education outcomes for Scotland's looked after children, 2013/14. http://www.gov.scot/Resource/0047/00479432.pdf [Date accessed 17.6.15]*

485 *NSPCC (2013). Education and Culture Committee debate: Inquiry into the educational attainment of looked after children. http://bit.ly/1Jt7AcF [Date accessed: 25.6.15]; and*

Scottish Government (2013). Educational outcomes for Scotland's looked after children. http://www.gov.scot/Resource/0042/00426029.pdf (2011/2012) [Date accessed: 25.6.15]

486 *Scottish Institute for Residential Child Care (2010). The Educational Attainment of Looked After Children: Key Messages from Research. A Briefing Paper for the Looked after Children's Strategic Implementation Group. University of Strathclyde. http://www.celcis.org/media/resources/publications/LACSIG_Improving_Learning_Oucomes_Hub--Key_Messages_from_R%E2%80%A6.pdf [Date accessed: 3.6.15]*

487 *Scottish Government (2014). Education outcomes for Scotland's looked after children, 2012/13. An Official Statistics Publication for Scotland. http://dera.ioe.ac.uk/20323/1/00453088.pdf [Date accessed: 3.6.15]*

488 *Barnardo's (2010). Looked after children with additional support needs in Scotland: A scoping study. http://www.barnardos.org.uk/looked_after_children_with_additional_support_needs_in_scotland_-_2010.pdf [Date accessed: 3.6.15]*

489 *Scottish Government (2015). Smart money on attainment. http://news.scotland.gov.uk/content/detail.aspx?ReleaseID=5586&NewsAreaId=2 [Date accessed: 18.6.15]*

490 *Scottish Government (2015). Raising Attainment for all Programme. http://www.gov.scot/Topics/Education/Schools/Raisingeducationalattainment/RAFA [Date accessed: 3.6.15]*

491 *Education Scotland (2014). Access to Education Fund. http://www.educationscotland.gov.uk/newsandevents/educationnews/2014/education/august/news_tcm4837144.asp. [Date accessed: 3.6.15]*

492 *Scottish Government (2012). Supporting Implementation of Additional Support for Learning in Scotland. http://www.gov.scot/Resource/0040/00408302.pdf [Date accessed 4.6.15]*

493 *The Scottish Parliament (2015). Education (Scotland) Bill. http://www.scottish.parliament.uk/parliamentarybusiness/Bills/87330.aspx [Date accessed: 3.6.15]*

--- Page 84 ---
UK Implementation of the Convention on the Rights of the Child
NGO alternative report to the Committee on the Rights of the Child – SCOTLAND
Together (Scottish Alliance for Children's Rights)   July 2015

494 Together (2014). State of Children's Rights in Scotland.
http://www.togetherscotland.org.uk/pdfs/SOCRRTogetherReport2014.pdf [Date accessed: 3.6.15]

495 This included more clubs and sports facilities. See: Save the Children and SCCYP (2014). Learning Lessons. Young people's views on poverty and education in Scotland. http://www.sccyp.org.uk/ufiles/Learning-Lessons.pdf [Date accessed: 3.6.15]

496 Save the Children and SCCYP (2014). Learning Lessons. Young people's views on poverty and education in Scotland. http://www.sccyp.org.uk/ufiles/Learning-Lessons.pdf [Date accessed: 3.6.15]

497 Joseph Rowntree Foundation (2014). Closing the Attainment Gap in Scottish Education http://www.jrf.org.uk/sites/files/jrf/education-attainment-scotland-summary.pdf [Date accessed: 3.6.15]

498 As per a recommendation in a report published by the Joseph Rowntree Foundation on the education attainment gap in Scotland. See: Joseph Rowntree Foundation (2014). Closing the Attainment Gap in Scottish Education http://www.jrf.org.uk/sites/files/jrf/education-attainment-scotland-summary.pdf [Date accessed: 3.6.15]

499 Scottish Government (2010). A National Approach to Anti-Bullying for Scotland's Children and Young People. http://www.gov.scot/Resource/Doc/330753/0107302.pdf [Date accessed: 29.6.15]

500 See: http://www.respectme.org.uk/ [Date accessed: 29.6.15]

501 Together (2013). State of Children's Rights in Scotland. Page 63. http://www.togetherscotland.org.uk/pdfs/TogetherReport2013.pdf [Date accessed: 29.6.15]

502 Respectme (2011). She's still going somewhere [online video]. https://www.youtube.com/watch?v=EhuL8iHSE64 [Date accessed 3.6.15]

503 Respectme (2011). Cyberbullying Survey: Summary report. http://www.google.co.uk/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CCUQFjAA&url=http%3A%2F%2Fwww.respectme.org.uk%2F_literature_120485%2FCyberbullying_Research_Summary_2011&ei=8n5oVbnBH6-R7AbqtYH4BQ&usg=AFQjCNGvb3Hb84MBDZRSHKXiyzwRwx3GwA&sig2=Qf2ZRcYjfL6HQYbGtFxswA&bvm=bv.93990622,d.ZGU&cad=rja [Date accessed 3.6.15]

504 Scotland's Commissioner for Children and Young People (2014). Looking at bullying and cyberbullying: mapping approaches and knowledge. http://www.sccyp.org.uk/ufiles/Looking-at-bullying-and-cyberbullying.pdf [Date accessed 3.6.15]

505 Respectme (2014). Bullying in Scotland 2014. http://www.respectme.org.uk/_literature_133120/Bullying_in_Scotland_Full_Report [Date accessed 3.6.15]

506 Scottish Borders Youth Commission on Bullying (2012). Evaluation Report. http://www.scotborders.gov.uk/downloads/file/5221/scottish_borders_youth_commission_on_bullying_evaluation_report [Date accessed: 3.6.15]

507 Equality and Human Rights Commission (2015). Prejudice-based bullying in Scottish schools: a research report. http://www.equalityhumanrights.com/sites/default/files/publication_pdf/Prejudice-based%20bullying%20in%20Scottish%20schools%20research%20report_0.pdf [Date accessed 3.6.15]

508 In a survey of 350 LGBT young people, 69% of LGBT respondents had experienced homophobic or biphobic bullying in school. Only 44% of LGBT young people would feel confident to report homophobia, biphobia, or transphobia in school. See: LGBT Youth Scotland (2012). Life in Scotland for LGBT Young People: Education report. https://www.lgbtyouth.org.uk/files/documents/Life_in_Scotland_for_LGBT_Young_People_-_Education_Report_NEW.pdf [Date accessed: 3.6.15]

509 Lough Dennell, Brandi Lee and Logan, Caitlin. (2012). Life in Scotland for LGBT Young People: Education Report. LGBT Youth Scotland. https://www.lgbtyouth.org.uk/files/documents/Life_in_Scotland_for_LGBT_Young_People_-_Education_Report_NEW.pdf [Date accessed: 24.6.15]

510 Equality and Human Rights Commission (2015). Prejudiced-based Bullying in Scottish schools: A research report http://www.equalityhumanrights.com/sites/default/files/publication_pdf/Prejudice-based%20bullying%20in%20Scottish%20schools%20research%20report_0.pdf [Date accessed: 17.5.2015]

--- Page 85 ---
UK Implementation of the Convention on the Rights of the Child
NGO alternative report to the Committee on the Rights of the Child – SCOTLAND
Together (Scottish Alliance for Children's Rights)   July 2015

511 Equality and Human Rights Commission (2015). Prejudiced-based Bullying in Scottish schools: A research report http://www.equalityhumanrights.com/sites/default/files/publication_pdf/Prejudice-based%20bullying%20in%20Scottish%20schools%20research%20report_0.pdf [Date accessed: 17.5.2015]

512 This was recommended as part of a review by Equality and Human Rights Commission. See: Equality and Human Rights Commission (2010). Prevention and response to identity-based bullying among local authorities in England, Scotland and Wales. http://www.equalityhumanrights.com/sites/default/files/documents/research/64_identity_based_bullying.pdf [Date accessed 4.6.15]

513 Equality and Human Rights Commission (2015). Prejudice-based bullying in Scottish schools: a research report. http://www.equalityhumanrights.com/sites/default/files/publication_pdf/Prejudice-based%20bullying%20in%20Scottish%20schools%20research%20report_0.pdf [Date accessed 3.6.15]

514 UK Government (2013). Fifth Periodic Report to the UN Committee on the Rights of the Child. Paragraph 5. http://tbinternet.ohchr.org/Treaties/CRC/Shared%20Documents/GBR/CRC_C_GBR_5_6749_E.docx [Date accessed: 17.6.15]

515 Cross, B., Hall, J., Hall, S., Hulme, M., Lewin, J., and McKinney, S. (2009) Pupil Participation in Scottish Schools. University of Glasgow. http://eprints.gla.ac.uk/49601/1/id49601.pdf [Date accessed 4.6.15]

516 Children's Parliament (2009). A Memento of the Children's Parliament Gathering. http://www.childrensparliament.org.uk/assets/rights-at-school/cp-listen-report.pdf [Date accessed 4.6.15]

517 Leaders of Learning programme: commissioned by Scottish Government and led by a group of children's organisations. See: Children in Scotland (2014). Final Report on the Leaders of Learning Project. Leaders of Learning. http://www.childreninscotland.org.uk/sites/default/files/LeadersofLearning%28printready%29small.pdf [Date accessed 4.6.15]

518 Children in Scotland (2014). Final Report on the Leaders of Learning Project. Leaders of Learning. http://www.childreninscotland.org.uk/sites/default/files/LeadersofLearning%28printready%29small.pdf [Date accessed 4.6.15]

519 Be excellent… The 'BeXcellent' project has involved a team of children and young people creating and managing a website for other young people, to share their experiences of learning through Curriculum for Excellence. See: Children in Scotland (2013). BeXcellent website project. http://www.childreninscotland.org.uk/project/bexcellent [Date accessed 4.6.15]

520 Children from a variety of schools and settings in South Lanarkshire were asked for their views on learning and teaching. See: Education Scotland (2014). Pupil Voice: Seen and Heard – What Children Think. http://www.educationscotland.gov.uk/video/p/video_tcm4548267.asp [Date accessed 4.6.15]

521 Scotland's Commissioner for Children and Young People's 'Flushed with Success' campaign involving children's views about school toilets. See: Scotland's Commissioner for Children and Young People (2013). Young People in Scotland Survey 2012: Summary report. http://www.sccyp.org.uk/ufiles/School-Toilets-Report.pdf [Date accessed 4.6.15]

522 UNICE UK (2014). The United Kingdom Committee for UNICEF. http://www.unicef.org.uk/Documents/Trustees%20Report%20and%20Accounts%202013_complete_web.pdf [Date accessed: 29.6.15]

523 Findings reported at Having a Say at School. See: Children in Scotland and the University of Edinburgh (2010). Having a Say at School: Research on Pupil Councils in Scotland. http://www.havingasayatschool.org.uk/promoting.html [Date accessed 4.6.15]

524 Audit Scotland (2014). School education. http://www.audit-scotland.gov.uk/docs/local/2014/nr_140619_school_education.pdf [Date accessed 4.6.15]

525 Children in Scotland (2014). Final Report On The Leaders Of Learning Project. http://www.childreninscotland.org.uk/sites/default/files/LeadersofLearning(printready)small.pdf [Date accessed: 25.6.15]

526 Findings reported at Having a Say at School. See: Children in Scotland and the University of Edinburgh (2010). Having a Say at School: Research on Pupil Councils in Scotland. http://www.havingasayatschool.org.uk/promoting.html [Date accessed 4.6.15]

UK Implementation of the Convention on the Rights of the Child
NGO alternative report to the Committee on the Rights of the Child – SCOTLAND
Together (Scottish Alliance for Children's Rights)   July 2015

527 Findings reported at Having a Say at School. See: Children in Scotland and the University of Edinburgh (2010). Having a Say at School: Research on Pupil Councils in Scotland. http://www.havingasayatschool.org.uk/promoting.html [Date accessed 4.6.15]

528 From a peak of 44,794 in 2006/2007, total exclusions fell to a total of 21,955 in 2012/2013. See: http://www.gov.scot/Topics/Statistics/Browse/School-Education/exclusiondatasets [Date accessed: 30.6.15]

529 This includes sending children home for 'cool down periods.' See: Scottish Government (2011). Included, engaged and involved part 2: a positive approach to managing school exclusions. http://www.gov.scot/Resource/Doc/345984/0115162.pdf [Date accessed 4.6.15]

531 Pupil Inclusion Network Scotland (2012). Exclusions in Scotland's schools: one year on, where are we now? http://www.pinscotland.org/assets/main-pdfs/PINS-Exclusions-Seminars-Report-2012.pdf   [Date accessed 4.6.15]

532 Scottish Parliament (2012). Official Report: Justice Committee. http://www.scottish.parliament.uk/parliamentarybusiness/report.aspx?r=7982&mode=pdf [Date accessed: 17.6.15]

533 Scottish Government (2013). Exclusions – Historical Datasets. http://www.gov.scot/Topics/Statistics/Browse/School-Education/exclusiondatasets [Date accessed 4.6.15]

534 Scottish Government (2013). Exclusions – Historical Datasets. http://www.gov.scot/Topics/Statistics/Browse/School-Education/exclusiondatasets [Date accessed 4.6.15]

535 McAra, Lesley & McVie, Susan (2010), 'Youth Crime and Justice: Key Messages from the Edinburgh Study of Youth Transitions and Crime', Criminology & Criminal Justice 10 (2), 179-209, p. 193f. http://crj.sagepub.com/content/10/2/179.abstract [Date accessed: 17.6.15]

536 McAra, Lesley & McVie, Susan (2010), 'Youth Crime and Justice: Key Messages from the Edinburgh Study of Youth Transitions and Crime', Criminology & Criminal Justice 10 (2), 179-209, p. 193f. http://crj.sagepub.com/content/10/2/179.abstract [Date accessed: 17.6.15]

537 McAra, Lesley & McVie, Susan (2010), 'Youth Crime and Justice: Key Messages from the Edinburgh Study of Youth Transitions and Crime', Criminology & Criminal Justice 10 (2), 179-209, p. 193f. http://crj.sagepub.com/content/10/2/179.abstract [Date accessed: 17.6.15]

538 Highland Children's Forum (2011). Challenging or Challenged? Views of Young People at the Edge of Exclusion. http://www.highlandchildrensforum.org/userfiles/file/Challenging%20or%20challenged%202011.pdf [Date accessed 4.6.15]

539 As recommended in: Scottish Justice Matters (2014). Living It: Children, Young People and Justice. http://scottishjusticematters.com/wp-content/uploads/Pages-from-SJM_2_3_Nov2014-SchoolExclusion.pdf [Date accessed 4.6.15]

540 Scottish Government (2013). Play Strategy for Scotland: Our Vision. http://www.gov.scot/Resource/0042/00425722.pdf [Date accessed 5.6.15]

541 Scottish Government (2013). Play Strategy for Scotland: Our Vision. http://www.gov.scot/Resource/0042/00425722.pdf [Date accessed 5.6.15]

542 Creative Scotland (2013). Time To Shine: Scotland's Youth Arts Strategy: for ages 0-25. http://www.creativescotland.com/__data/assets/pdf_file/0016/21328/Time-To-Shine-Scotlands-Youth-Arts-Strategy.pdf [Date accessed 5.6.15]

543 Scottish Government (2014). Giving Children and Young People a Sporting Chance: Scotland's sport strategy for children and young people. http://www.gov.scot/Resource/0045/00453122.pdf [Date accessed 5.6.15]

544 Education Scotland (2014). Our ambitions for improving the life chances of young people in Scotland. National Youth Work Strategy: 2014-2019. http://www.educationscotland.gov.uk/Images/YouthWorkStrategy181214_tcm4-823155.pdf [Date accessed 5.6.15]

545 Scottish Government (2008). The Early Years Framework. http://www.gov.scot/Resource/Doc/257007/0076309.pdf [Date accessed 5.6.15]

UK Implementation of the Convention on the Rights of the Child
NGO alternative report to the Committee on the Rights of the Child – SCOTLAND
Together (Scottish Alliance for Children's Rights)   July 2015

546 Scottish Government (2008). The Early Years Framework. http://www.gov.scot/Resource/Doc/257007/0076309.pdf [Date accessed 5.6.15]

547 Find out more about the Early Years Collaborative and key change themes here: http://www.gov.scot/Topics/People/Young-People/early-years/early-years-collaborative/key-change-themes [Date accessed: 23.6.15]

548 Scotland's Commissioner for Children and Young People (2014). Children's right to play, culture and arts: A review of Article 31 in Scotland. http://www.sccyp.org.uk/ufiles/Right-to-Play.pdf [Date accessed 5.6.15]

549 National Records of Scotland (2011) Mid-2010 Population Estimates Scotland: Population estimates by sex, age and administrative area. http://www.nrscotland.gov.uk/files/statistics/population-estimates/mid-2010/mid-year-pop-est-2010.pdf [Date accessed 4.6.15]

550 Scottish Government (2012). Do the Right Thing Progress Report. http://www.gov.scot/Resource/0039/00392997.pdf [Date accessed 4.6.15].

551 Scottish Government (2009). Growing Up in Scotland: Sweep 3 Food and Activity Report. http://www.gov.scot/Publications/2009/01/21085143/1 [Date accessed: 17.6.15]

552 Growing up in Scotland (2012). What Do We Know About Play? http://growingupinscotland.org.uk/wp-content/uploads/2013/04/GUS_PlayBriefing.pdf [Date accessed 4.6.15]

553 Scottish Government (2012). Growing Up in Scotland: Overweight, obesity and activity. http://www.gov.scot/Resource/0039/00392688.pdf [Date accessed 4.6.15]

554 Play Scotland (2012). Getting it Right for Play. The Power of Play: an evidence base. http://www.playscotland.org/wp-content/uploads/assets/Power-of-Play.pdf [Date accessed 4.6.15]

555 Scottish Government (2015) Playing with quality and equality: a review of inclusive play in Scotland. [Not yet published]

556 Scotland's Commissioner for Children and Young People (2013). It Always Comes Down to Money: Recent changes in service provision to disabled children, young people and their families in Scotland. http://www.sccyp.org.uk/ufiles/It-always-comes-down-to-money.pdf [Date accessed 4.6.15]

557 Scotland's Commissioner for Children and Young People (2013). It Always Comes Down to Money: Recent changes in service provision to disabled children, young people and their families in Scotland. http://www.sccyp.org.uk/ufiles/It-always-comes-down-to-money.pdf [Date accessed 4.6.15]

558 Scottish Government (2015) Playing with quality and equality: a review of inclusive play in Scotland. [Not yet published]

559 LGBT Youth Scotland (2013). Life in Scotland for LGBT young people: Community and Identity. https://www.lgbtyouth.org.uk/files/documents/Research_/LGBTYS_Life_-_Community_and_Identity_-_new_version.pdf [Date accessed: 24.6.15]

560 Health Scotland is currently working in partnership with Scottish Government and Architecture and Design Scotland to create a Place Standard for Scotland. The purpose of the Place Standard is to support the delivery of high quality places in Scotland and to maximise the potential of the physical and social environment in supporting health, wellbeing and a high quality of life. It will provide a framework to support public and private sectors and communities to work together to deliver high quality places, highlighting the critical role community planning partnerships play in this process. The Standard will build on key recommendations from Good Places Better Health and from Creating Places and be applicable to new and existing places. See: NHS Health Scotland (2014). A Place Standard for Scotland. http://www.healthscotland.com/resources/cpps/local/placestandard.aspx [Date accessed 5.6.15]

561 Scottish Government (2014). Scottish Planning Policy. http://www.gov.scot/Resource/0045/00453827.pdf [Date accessed: 23.6.15]

562 Scottish Parliament (2014). Community Empowerment (Scotland) Bill: As Introduced. http://www.scottish.parliament.uk/S4_Bills/Community%20Empowerment%20%28Scotland%29%20Bill/b52s4-introd.pdf [Date accessed: 23.6.15]

563 Play Scotland (2012). Getting it Right for Play. The Power of Play: an evidence base. http://www.playscotland.org/wp-content/uploads/assets/Power-of-Play.pdf [Date accessed 4.6.15]

UK Implementation of the Convention on the Rights of the Child
NGO alternative report to the Committee on the Rights of the Child – SCOTLAND
Together (Scottish Alliance for Children's Rights)   July 2015

564 Children's Parliament (2011). 'I'd Play All Day and All Night if I Could'.
http://www.childrensparliament.org.uk/assets/right-to-play/CP-Right-to-play-report-for-web.pdf [Date accessed 4.6.15]

565 Children's Parliament (2011). 'I'd Play All Day and All Night if I Could'.
http://www.childrensparliament.org.uk/assets/right-to-play/CP-Right-to-play-report-for-web.pdf [Date accessed 4.6.15]

566 The 'Being Young in Scotland 2009' survey found that young people aged 11 to 16 years engaged in a wide range of social activities including seeing friends (71%) and other activities including using the internet (81%) and watching TV (77%). The proportion of respondents who attended a youth club was 23%, dropping from 34% in 2007. See: YouthLink (2010). Being Young in Scotland, 2009. http://www.youthlinkscotland.org/webs/245/file/Final%20BYIS%20Repor%28a%29.pdf [Date accessed 4.6.15]

567 Scottish Government (2012). The Conversations Project: A report to the Steering Group of The National Review of Services for Disabled Children and Young People. http://www.gov.scot/Resource/0039/00395693.pdf [Date accessed 4.6.15]

568 Elsley, S. et al. (2013). Children and young people's experiences of, and views on, issues relating to the implementation of the United Nations Convention on the Rights of the Child. http://www.gov.scot/Resource/0042/00427287.pdf [Date accessed 4.6.15]

569 Scottish Government (2012). The Conversations Project: A report to the Steering Group of The National Review of Services for Disabled Children and Young People. http://www.gov.scot/Resource/0039/00395693.pdf [Date accessed 4.6.15]

570 Children's Parliament (2014). Children and Sport. http://www.childrensparliament.org.uk/assets/children-and-sport/CP-Sporting-Chances-CHILDRENS-REPORT.pdf [Date accessed 5.6.15]

571 Young Scot (2014). Getting Involved in the Glasgow 2014 Games. http://www.youngscot.org/info/450-getting-involved-in-the-glasgow-2014-games [Date accessed 1.6.15]

572 Young Scot (2014). Young Scot at Glasgow Green. http://www.youngscot.org/mag/3152-young-scot-at-glasgow-green [Date accessed 1.6.15]

573 Young Scot (2015). Podium Programme: Report and Summary of Recommendations. http://www.youngscot.net/wp-content/uploads/2015/03/Podium-Programme-Report.pdf [Date accessed 5.6.15]

574 Scottish Government (2015). Scottish Health Survey publications. [Data for 2015 will be made available in September 2015]. http://www.gov.scot/Topics/Statistics/Browse/Health/scottish-health-survey/Publications [Date accessed 5.6.15]

575 Responses from Caledonia Youth and NHS Health Scotland which contributed to the Parliamentary Inquiry on Teenage Pregnancy. See: The Scottish Parliament (2013). Report on Inquiry into Teenage Pregnancy. http://www.scottish.parliament.uk/S4_HealthandSportCommittee/Reports/heR-13-05w.pdf [Date accessed: 26.5.15]

576 Scottish Government (2014). Conduct of Relationships, Sexual Health and Parenthood Education in Schools. http://www.gov.scot/Resource/0046/00465948.pdf [Date accessed: 26.5.15]

577 Scotland's Commissioner for Children and Young People (2015). 'Commissioner welcomes new guidance on relationships'. http://www.sccyp.org.uk/news/in-the-news/commissioner-welcomes-new-guidance-on-relationships [Date accessed: 26.5.15]

578 See: Civil rights and Freedoms: Protection of Privacy (Article 16): Information Sharing.

579 The Family Planning Association (2011). Under-16's and confidentiality. http://www.fpa.org.uk/sites/default/files/under-16s-and-confidentiality-policy-statement.pdf Date accessed: 26.5.15]

580 Caledonia Youth (2013). Inquiry into Teenage Pregnancy. http://www.scottish.parliament.uk/S4_HealthandSportCommittee/TP020_-_Caledonia_Youth.pdf [Date accessed: 26.5.15]

581 The Institute for Public Policy Research (2014). Young People, Sex and Relationships: The New Norms. http://www.ippr.org/assets/media/publications/pdf/young-people-sex-relationships_Aug2014.pdf?noredirect=1 [Date accessed: 26.5.15]

UK Implementation of the Convention on the Rights of the Child
NGO alternative report to the Committee on the Rights of the Child – SCOTLAND
Together (Scottish Alliance for Children's Rights)   July 2015

582 Zero Tolerance (2014). "He's the stud and she's the slut": Young people's attitudes to pornography, sex and relationships. http://www.zerotolerance.org.uk/sites/www.zerotolerance.org.uk/files/Peer%20Research_1.pdf [Date accessed: 26.5.15]

583 Ringrose, J., Gill, R., Livingstone, S. & Harvey, L. (2012). A Qualitative Study of Children, Young People and 'Sexting': A report prepared for the NSPCC. http://www.nspcc.org.uk/globalassets/documents/research-reports/qualitative-study-children-young-people-sexting-report.pdf [Date accessed: 26.5.15]; and,

Wood, M., Barter, C. & Berridge, D. (2011) 'Standing on my own two feet': Disadvantaged Teenagers, Intimate Partner Violence and Coercive Control http://www.nspcc.org.uk/inform/research/findings/standing_own_two_feet_pdf_wdf84557.pdf [Date accessed: 26.5.15]; and,

Zero Tolerance and YWCA Scotland (2011). Under Pressure: Preventing teen abuse and exploitation. http://www.zerotolerance.org.uk/sites/www.zerotolerance.org.uk/files/UnderPressure_Doc_Web_sm.pdf [Date accessed: 26.5.15]

584 A survey of 237 young people aged 14-19 found that 49% of participants said there is not enough information available for young people on sex and relationships. See: Zero Tolerance (2014). "He's the stud and she's the slut": Young people's attitudes to pornography, sex and relationships. http://www.zerotolerance.org.uk/sites/www.zerotolerance.org.uk/files/Peer%20Research_1.pdf [Date accessed: 26.5.15]

585 Children's Parliament (date unknown). Adolescent Wellbeing. http://www.childrensparliament.org.uk/adolescent-wellbeing.html [Date accessed: 16.6.15]

586 Scottish Youth Parliament (2014). Response to Draft Guidance on the Conduct of Relationships, Sexual Health and Parenthood Education in Scottish schools. http://www.syp.org.uk/img/consultations/Sex%20Education%20Guidance%20-%20SYP%20Response.pdf [Date accessed: 18.6.15]

587 Crawley, H. and Kohli, R. Aberlour Childcare Trust & Scottish Refugee Council. (2013). 'She Endures With Me: An Evaluation of the Scottish Guardianship Service Pilot'. Page 43. http://www.scottishrefugeecouncil.org.uk/assets/0000/6798/Final_Report_2108.pdf [Date accessed: 17.6.15]

588 Scottish Refugee Council (2014). Women and Children First? Refused asylum seekers' access to and experiences of maternity care in Glasgow. Page 15. http://www.scottishrefugeecouncil.org.uk/assets/0000/7924/Women__Children_First_Final.pdf [Date accessed: 17.6.15]

589 Gillespie, M. (2012). Trapped: destitution and asylum in Scotland: Scottish Poverty Information Unit, Glasgow Caledonian University. Chapter 5, Page 46. http://www.scottishrefugeecouncil.org.uk/assets/0000/5050/Trapped_destitution_and_asylum_final.pdf [Date accessed: 17.6.15]

590 Scottish Government (1995). Children (Scotland) Act 1995 (Section 22). http://www.legislation.gov.uk/ukpga/1995/36/pdfs/ukpga_19950036_en.pdf [Date accessed: 17.6.15]

591 Scottish Refugee Council (2013). In Search of Normality: Refugee Integration in Scotland. http://www.scottishrefugeecouncil.org.uk/assets/0000/5498/4093_SRC_Refugee_Integration_Doc_V4.pdf [Date accessed: 17.6.15]

592 Scottish Government (2010) Overseas Visitors' Liability to Pay Charges for NHS Care and Services. Guidance at: http://www.sehd.scot.nhs.uk/mels/CEL2010_09.pdf [accessed 24.6.15]

593 See: http://migrationobservatory.ox.ac.uk/briefings/immigration-detention-uk [Date accessed: 17.6.15]

594 Statistics released by the Home Office in September 2013 revealed that more than 444 immigrant children have been detained since the end of 2010, when the Government announced its commitment to ending their detention in removal centres. The number of children being detained nearly doubled between 2011, when there were 127 cases, and 2012, when there were 242, according to the latest figures. Full article: http://www.independent.co.uk/news/uk/politics/britain-still-detaining-hundreds-of-refugee-children-8793013.html?origin=internalSearch [Accessed October 2014]

UK Implementation of the Convention on the Rights of the Child
NGO alternative report to the Committee on the Rights of the Child – SCOTLAND
Together (Scottish Alliance for Children's Rights)   July 2015

595 UK Government (2013). Fifth Periodic Report to the UN Committee on the Rights of the Child. Paragraph 5. http://tbinternet.ohchr.org/Treaties/CRC/Shared%20Documents/GBR/CRC_C_GBR_5_6749_E.docx [Date accessed: 17.6.15]

596 Scottish Government (2013). The 5th UK Government Report to the UN Committee on the Rights of the Child Scottish Government Submission and UK Government. Page 31. http://www.gov.scot/Resource/0042/00426765.pdf [Date accessed: 17.6.15]

597 Crawley, H. and Kohli, R. Aberlour Childcare Trust & Scottish Refugee Council. (2013). 'She endures with me': final evaluation of the Scottish Guardianship Service Pilot. http://www.scottishrefugeecouncil.org.uk/assets/0000/6798/Final_Report_2108.pdf [Date accessed: 30.6.15]

598 Elsley, S. et al. (2013). Children and young people's experiences of, and views on, issues relating to the implementation of the United Nations Convention on the Rights of the Child. Paragraph 9.2. http://www.gov.scot/Resource/0042/00427287.pdf [Date accessed 26.6.15]

599 Accommodated under Section 22 of the Children (Scotland) Act 1995 rather than Section 25. See: http://www.legislation.gov.uk/ukpga/1995/36/pdfs/ukpga_19950036_en.pdf [Date accessed: 17.6.15]

600 Legal Services Agency (2014). Legal issues in the accommodation and support of asylum seeking and trafficked children under the Children (Scotland) Act 1995. http://www.lsa.org.uk/docs/SLF%20Report%20FINAL%20%282%29.pdf [Date accessed: 17.6.15]

601 UK Government (2013). Fifth Periodic Report to the UN Committee on the Rights of the Child. Paragraph 6. http://tbinternet.ohchr.org/Treaties/CRC/Shared%20Documents/GBR/CRC_C_GBR_5_6749_E.docx [Date accessed: 17.6.15]

602 In the year ending March 2014, 318 asylum applicants had their age disputed and there were 418 recorded as having completed an age assessment. Of those who completed age assessments in this period, 63% had a date of birth over 18 when the age dispute was raised. https://www.gov.uk/government/publications/immigration-statistics-january-to-march-2014/immigration-statistics-january-to-march-2014 [Accessed October 2014]

603 Together (2014). State of Children's Rights in Scotland. http://togetherscotland.org.uk/pdfs/SOCRRTogetherReport2014.pdf [Date accessed: 29.6.15]

604 Legal Services Agency (2014). Legal issues in the accommodation and support of asylum seeking and trafficked children under the Children (Scotland) Act 1995. http://www.lsa.org.uk/docs/SLF%20Report%20FINAL%20%282%29.pdf [Date accessed: 17.6.15]

605 Scottish Refugee Council (2013). Practice Framework: April 2013 (Appendix 1). http://www.scottishrefugeecouncil.org.uk/assets/6533/SGC_Practice_Manual_merged_final_v.pdf [Date accessed: 17.6.15]

606 UK Government (2013). Fifth Periodic Report to the UN Committee on the Rights of the Child. http://tbinternet.ohchr.org/Treaties/CRC/Shared%20Documents/GBR/CRC_C_GBR_5_6749_E.docx [Date accessed: 17.6.15]

607 Scottish Government (2012). Do the Right Thing Progress Report 2012. Page 55. http://www.scotland.gov.uk/Resource/0039/00392997.pdf [Date accessed: 29.6.15]

608 Scottish Parliament (2014). Justice Committee. Official Report, 7 January 2014, Col 4067. http://www.scottish.parliament.uk/S4_JusticeCommittee/Meeting%20Papers/Papers20140107.pdf [Date accessed: 29.6.15]

609 Scottish Government (2015). Preventing Offending: Getting it Right for Children and Young People http://www.gov.scot/Resource/0047/00479251.pdf [Date accessed: 18.6.15]

610 Committee on the Rights of the Child (2008). Concluding Observations: United Kingdom (CRC/C/GBR/CO/4). No 78a-h; and,

Together (2014). State of Children's Rights in Scotland. http://togetherscotland.org.uk/pdfs/SOCRRTogetherReport2014.pdf [Date accessed: 29.6.15]

UK Implementation of the Convention on the Rights of the Child
NGO alternative report to the Committee on the Rights of the Child – SCOTLAND
Together (Scottish Alliance for Children's Rights)   July 2015

611 Scottish Policing Performance Framework 2012-13 [data tables] Scottish Policing Performance Framework, 2012-13. Edinburgh: Scottish Government. Retrieved from www.scotland.gov.uk/Publications/2013/11/6914.

612 Scottish Government (2013). Scottish Policing Performance Framework, 2012-13. Page 53. www.scotland.gov.uk/Publications/2013/11/6914. [Date accessed: 29.6.15]

613 Centre for Youth and Criminal Justice (2014). Youth Justice in Scotland: Fixed in the past or fit for the future? http://www.cycj.org.uk/wp-content/uploads/2014/09/Youth-Justice-in-Scotland.pdf [Date accessed: 29.6.15]

614 Centre for Youth and Criminal Justice (2015). Youth in justice: Young people explore what their role in improving youth justice should be. http://www.cycj.org.uk/wp-content/uploads/2015/03/Youth-in-Justice.pdf [Date accessed: 23.6.15]

615 Elsley, S. et al. (2013). Children and young people's experiences of, and views on, issues relating to the implementation of the United Nations Convention on the Rights of the Child. Paragraph 9.3. http://www.gov.scot/Resource/0042/00427287.pdf [Date accessed 26.6.15]

616 The Scottish Centre for Crime and Justice Research (2013). The Whole System Approach for Children and Young People who Offend: An Evaluation of Early Stage Implementation. http://www.sccjr.ac.uk/wp-content/uploads/2013/07/Whole-System-Approach-BP.pdf [Date accessed: 17.6.15]

617 Centre for Youth and Criminal Justice (2014) Youth Justice in Scotland: Fixed in the past or fit for the future? http://www.cycj.org.uk/wp-content/uploads/2014/09/Youth-Justice-in-Scotland.pdf [Date accessed: 29.6.15]

618 See: Online Statistical Dashboard. Retrieved from www.scra.gov.uk/cms_resources/Online%20annual%20dashboard%202012-13.swf [Date accessed: 29.6.15]

619 See: Online Statistical Dashboard. www.scra.gov.uk/cms_resources/Online%20annual%20dashboard%202012-13.swf [Date accessed: 29.6.15]

620 Scottish Government (2013). Discussion paper on the Rehabilitation of Offenders Act 1974. Retrieved from www.scotland.gov.uk/Resource/0043/00432117.pdf [Date accessed: 29.6.15]

621 The Children's Hearings (Scotland) Act 2011 made provision in s.187 and s.188 for the introduction of the Alternative to Prosecution (ATP) and modifications to Criminal Record Certificates and disclosure procedures. See: http://www.legislation.gov.uk/asp/2011/1/pdfs/asp_20110001_en.pdf [Date accessed: 17.6.15]

622 Centre for Youth and Criminal Justice (2014) Youth Justice in Scotland: Fixed in the past or fit for the future? http://www.cycj.org.uk/wp-content/uploads/2014/09/Youth-Justice-in-Scotland.pdf [Date accessed: 29.6.15

623 This is unless they remain subject to a compulsory supervision order through the Children's Hearings System or if there are other exceptional circumstances. Crown Office and Procurator Fiscal Service/SCRA (2014). Joint Agreement in Relation to the Cases of Children Jointly Reported to the Procurator Fiscal and Children's Reporter. Edinburgh: Crown Office and Procurator Fiscal Service. Retrieved from www.copfs.gov.uk/images/Documents/Prosecution_Policy_Guidance/Protocols_and_Memorandum_of_Understanding/Agreement%20on%20cases%20involving%20Children%20Jointly%20Reported%20-%20June%202014.pdf [Date accessed: 29.6.15]

624 Scottish Government (2013). The 5th UK Government Report to the UN Committee on the Rights of the Child Scottish Government Submission and UK Government. Page 32. http://www.gov.scot/Resource/0042/00426765.pdf [Date accessed: 17.6.15]

625 The Scottish Prisons Commission (2008) Scotland's Choice: Report of the Scottish Prisons Commission, Edinburgh: Scottish Prisons Commission. http://www.gov.scot/Resource/Doc/230180/0062359.pdf [Date accessed: 29.6.15]

626 An example cited in "Centre for Youth and Criminal Justice (2014) Youth Justice in Scotland: Fixed in the past or fit for the future?" is: A young man of 16 who appears in Court charged with a serious violent offence who is subject to compulsory measures of supervision and who has bail contested by the Procurator Fiscal would almost certainly be detained in HMYOI Polmont pending trial at a cost of £622.52 per week with costs being met from the Scottish Prison Service budget. However, a local authority committed to both the spirit and the letter of various pieces of Scottish legislation, international human rights conventions and obligations might seek to have the young man placed in secure accommodation at a cost of £5,160 per week. http://www.cycj.org.uk/wp-content/uploads/2014/09/Youth-Justice-in-Scotland.pdf [Date accessed: 29.6.15]

UK Implementation of the Convention on the Rights of the Child
NGO alternative report to the Committee on the Rights of the Child – SCOTLAND
Together (Scottish Alliance for Children's Rights)   July 2015

627 Scottish Prison Service (2014). Unlocking Potential: Report of the Scottish Prison Service Organisational Review. http://www.sps.gov.uk/nmsruntime/saveasdialog.aspx?fileName=Organisational_Review_-_Unlocking_Potential%2c_Transforming_Lives2198_1316.pdf [Date accessed: 25.6.15]

628 Together (2014). State of Children's Rights in Scotland. http://togetherscotland.org.uk/pdfs/SOCRRTogetherReport2014.pdf [Date accessed: 29.6.15]

629 Brodie, I. and Pearce, J. (2012). Exploring the scale and nature of child sexual exploitation in Scotland 2012. http://www.gov.scot/Resource/0040/00404853.pdf [Date accessed: 29.6.15]

630 See: http://www.scotland.police.uk/whats-happening/news/2014/october/police-scotland-set-up-national-child-abuse-investigation-unit [Accessed October 2014]

631 Centre for Excellence for Looked After Children in Scotland (2013). The Sexual Exploitation of Looked After Children in Scotland. http://www.celcis.org/media/resources/publications/Sexual-Exploitation-of-Looked-After-Children.pdf [Date accessed: 30.6.15]

632 Scottish Government (2012). Exploring the Scale and Nature of Child Sexual Exploitation in Scotland. http://www.gov.scot/Resource/0040/00404853.pdf [Date accessed: 29.6.15]

633 Brodie and Pearce (2012). Exploring the Scale and Nature of Child Sexual Exploitation in Scotland. http://www.gov.scot/Resource/0040/00404853.pdf [Date accessed: 29.6.15]

634 Scottish Government (2013) Report on the short-life working group on Child Sexual Exploitation http://www.gov.scot/Resource/0044/00440928.pdf [Date accessed: 22.6.15]

635 Roshni (2012). Perceptions of Child Abuse in Scotland's Minority Ethnic Communities. http://roshni.org.uk/wp-content/uploads/2012/05/Perceptions-of-Child-Abuse-in-Scotlands-Minority-Ethnic-Communities.pdf [Date accessed: 29.6.15]

636 Scottish Government (2013). Report of the Child Sexual Exploitation Short-Life Ministerial Working Group: December 2013. http://www.gov.scot/Resource/0044/00440928.pdf [Date accessed: 29.6.15]

637 Scottish Parliament (2014). Report on tackling child sexual exploitation in Scotland. 1st Report, 2014 (Session 4) http://www.scottish.parliament.uk/S4_PublicPetitionsCommittee/Reports/puR-14-01w-rev-v3.pdf [Date accessed: 29.6.15]

638 Scottish Government (2014). Scotland's National Action Plan to tackle Child Sexual Exploitation http://www.gov.scot/Resource/0046/00463120.pdf [Date accessed: 29.6.15]

639 Scottish Government (2014). National Guidance for Child Protection in Scotland. http://www.gov.scot/Resource/0045/00450733.pdf [Date accessed: 29.6.15]

640 Scotland's Commissioner for Children and Young People (2014). Scottish Government Debate: Report on Tackling Child Sexual Exploitation in Scotland. http://www.sccyp.org.uk/ufiles/Report-on-Tackling-Child-Sexual-Exploitation-in-Scotland.pdf [Date accessed: 17.6.15]

641 Scotland's Commissioner for Children and Young People (2014). Comments on Scottish Government proposals for a Human Trafficking Bill and outline Strategy. http://www.sccyp.org.uk/ufiles/Comments-on-Scottish-Government-proposals-for-a-Human-Trafficking-Bill-and-outline-Strategy.pdf [Date accessed: 29.6.15]

642 Elsley, S. et al. (2013). Children and young people's experiences of, and views on, issues relating to the implementation of the United Nations Convention on the Rights of the Child. Paragraph 6.32. http://www.gov.scot/Resource/0042/00427287.pdf [Date accessed 26.6.15]

643 Scottish Government (2013). The 5th UK Government Report to the UN Committee on the Rights of the Child Scottish Government Submission and UK Government. Page 31. http://www.gov.scot/Resource/0042/00426765.pdf [Date accessed: 17.6.15]

644 Scottish Government (2014). Human Trafficking and Exploitation (Scotland) Bill. http://www.scottish.parliament.uk/parliamentarybusiness/Bills/84356.aspx [accessed 22.6.2015]

645 More information here: http://www.scotland.gov.uk/Topics/Justice/policies/reducing-crime/human-trafficking [accessed 22.6.2015]

--- Page 93 ---
UK Implementation of the Convention on the Rights of the Child
NGO alternative report to the Committee on the Rights of the Child – SCOTLAND
Together (Scottish Alliance for Children's Rights)   July 2015

646 More information here: http://www.scotland.gov.uk/Topics/Justice/policies/reducing-crime/human-trafficking [accessed 22.6.2015]

647 UN Committee on the Rights of the Child (2014). Concluding observations on the report submitted by the United Kingdom of Great Britain and Northern Ireland under article 12, paragraph 1, of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography. http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC/C/OPSC/GBR/CO/1&Lang=En – Date accessed: 29.6.15]

UK Implementation of the Convention on the Rights of the Child
NGO alternative report to the Committee on the Rights of the Child – SCOTLAND
Together (Scottish Alliance for Children's Rights)   July 2015