

“The problems adults don’t see”

Scotland’s journey towards realising children and young people’s rights



**CHILDREN &
YOUNG PEOPLE'S**
Commissioner
Scotland

 **Children's
Parliament**



together

Scottish Alliance for Children's Rights

**Report to the UN Committee on the Rights of the Child
from children and young people in Scotland**

February 2023







Introduction

Our names are Omima, Arden, Beau and Daisy. We are Members of Children’s Parliament (MCP) and Scottish Youth Parliament (MSYP).



Over the last few years we have heard from thousands of children and young people across Scotland about what matters for them.¹ We want to tell the UN Committee about some of these big issues and what we think needs to happen next. We have lots of ideas for questions and recommendations which have the support of lots of children and young people in Scotland – we hope that members of the UN Committee will take these into account before they do the children’s rights check-up of the UK in May 2023.

From all of our work, we have chosen **six key issues** that we want to speak to the UN Committee about:

-  Adults realising children and young people’s rights
-  Equality for all
-  Education
-  Mental health
-  Right to food
-  Climate change and the environment





1. Adults realising children and young people's rights

Incorporation

“[t]he delay from the Supreme Court Challenge and the subsequent wait for action has come at a time when the need for rights to be protected in law has been heightened by the pandemic, issues with assessments, and the accelerating climate emergency.”

(MSYP)

In 2018, the Scottish Government made a promise to put children and young people's human rights into law. This still has not happened.^{2,3} We were really happy when the Scottish Parliament passed a Bill in March 2021, but we are still waiting for changes that the UK Supreme Court said are needed before the Bill can become a law. We are concerned about how long this is taking, and how little we have been told about why the delay is happening – it makes us feel like our rights are not a priority.

Question: What is the Scottish Government doing to make sure children and young people's rights become law as soon as possible?

Recommendation: The Scottish Government should fix the Bill as soon as possible so that children and young people's rights can become the law.

Putting rights into practice

“They [professional adults] need to gain the children's trust.”

(MCP)

Putting our rights into law is an important first step but lots of other things need to change to put our rights into practice. Raising awareness and learning about rights is important but Scotland needs to go beyond this – we need culture change. We need activities to make a cultural difference where rights are demonstrated, lived and acted out. Everyone who works with children and young people, or makes decisions that affect us, should live and breathe rights.⁴

Question: How will the Scottish Government make sure adults deliver on their responsibility to put children's rights into practice? What tools will the Scottish Government give children and young people so they can hold adults to account?

Recommendation: The Scottish Government should launch a nationwide civil society campaign and training for adults which builds their knowledge but also their skills and confidence in human rights behaviours.

Participation

“Everyone should be heard and kids also have a creative side so you may get some new ideas.”

(MCP)

“Disabled young people, young people of colour, young carers, young parents and other seldom heard groups have all bore the brunt of this pandemic, yet there are few targeted approaches to engage with them.”

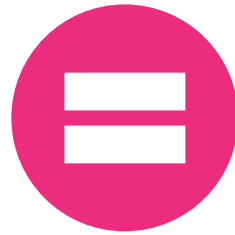
(MSYP)

Scotland needs to do more to make sure children and young people are listened to and taken seriously in all decisions that affect them. Younger children are often missed out of decision making completely because the adults don't think they have their own views or because the adults don't feel confident about how to engage them in fun and creative ways. There are positive examples of participation in Scotland – like the annual meeting with the Scottish Cabinet – but not all children and young people have the chance to be heard and sometimes we don't get feedback about how our ideas have been used and what difference they have made. Youthwork organisations are important in making this a reality because they help children and young people get their views heard but they are having their funding cut and some projects are being shut down.^{5,6}

Question: What is the Scottish Government doing to make sure all children and young people, especially those from seldom-heard groups, have their views heard in local and national decisions; and that all adults know how to support children and young people to share their views and give them feedback on what happened next?

Recommendation: The Scottish Government should do more to make sure that children and young people from all backgrounds and identities are listened to and taken seriously when decisions are made, including by ensuring participation with early years and younger children, investing in youth work and protecting it from budget cuts.





2. Equality for all

Children and young people say they are being treated differently because of who they are. Two of the big issues we see in Scotland are gender inequality in schools and racism.^{7 8}

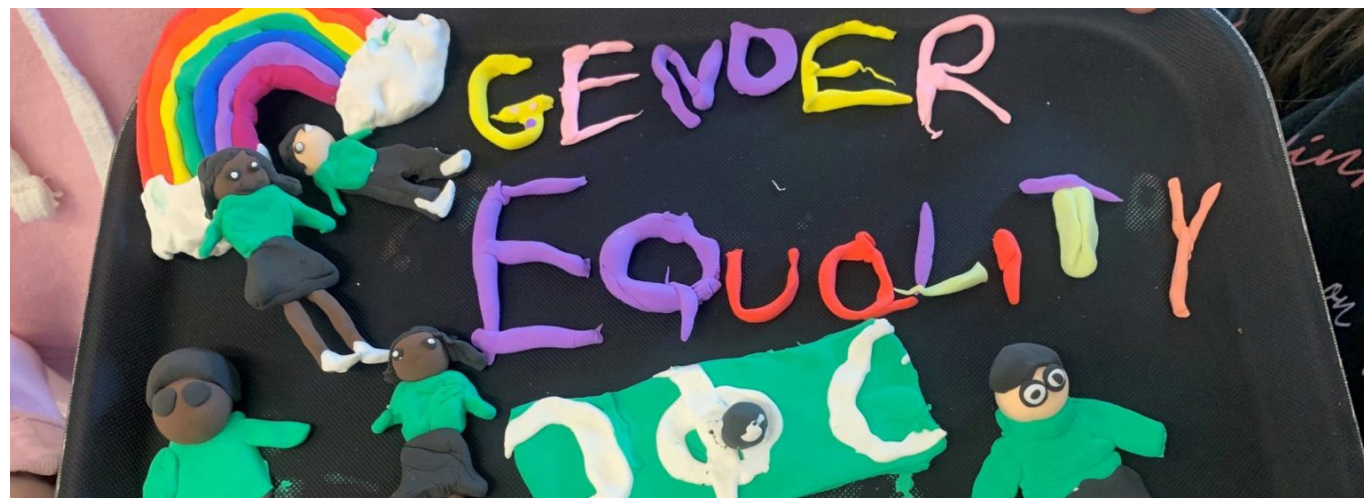
Gender equality

- 👤 *“Girls can do what boys can do, and boys can do what girls can do.”*
(MCP)
- 👤 *“I think ‘meaningful conversations’, whilst important, don’t put women on the spot and make it their responsibility to educate men. In my opinion, we’ve had enough meaningful conversations and we need to look at more tangible ways of uprooting sexism in education and society.”*
(MSYP)

Children should not be treated differently in school because of their gender. We want the Scottish Government to make sure the Scottish school system is truly gender equal.

❓ **Question:** What is the Scottish Government doing to make sure the Scottish school system is truly gender equal?

💡 **Recommendation:** The Scottish Government should end gender stereotyping in schools, for example by supporting friendship between different genders, supporting everyone to take part in different sports and activities, removing gendered school uniforms, stopping stereotyping language, making sure gender equality is in the curriculum and reviewing teacher training. The Scottish Government should take action to make sure schools are inclusive environments for non-binary, trans and gender non-conforming young people.



Anti-racism

- 👤 *“Racism hurts children and adults, and it happens too much today.”*
(MCP)
- 👤 *“It’s about creating a safer and more inclusive community in which students as well as their parents and relatives understand the impact racism has on minorities and how to be active bystanders if they see racism happening.”*
(MSYP)

Racism is not just a problem experienced by a few people, but one that affects many parts of Scottish society. We want to see better support for children and young people who have experienced racism; to learn about racism, the impact of racism and how to challenge it; to learn about the achievements and experiences of Black, Brown and minority ethnic people today and from the past; and to have more Black, Brown and minority ethnic teachers and school staff.

❓ **Question:** What is the Scottish Government doing to improve support for children and young people who have experienced racism? What is the Scottish Government doing to make sure children and young people’s views shape this?

💡 **Recommendation:** The Scottish Government should work with children and young people who have experienced racism to create an action plan to end racism. This should include steps to prevent and address racism in schools and in communities.

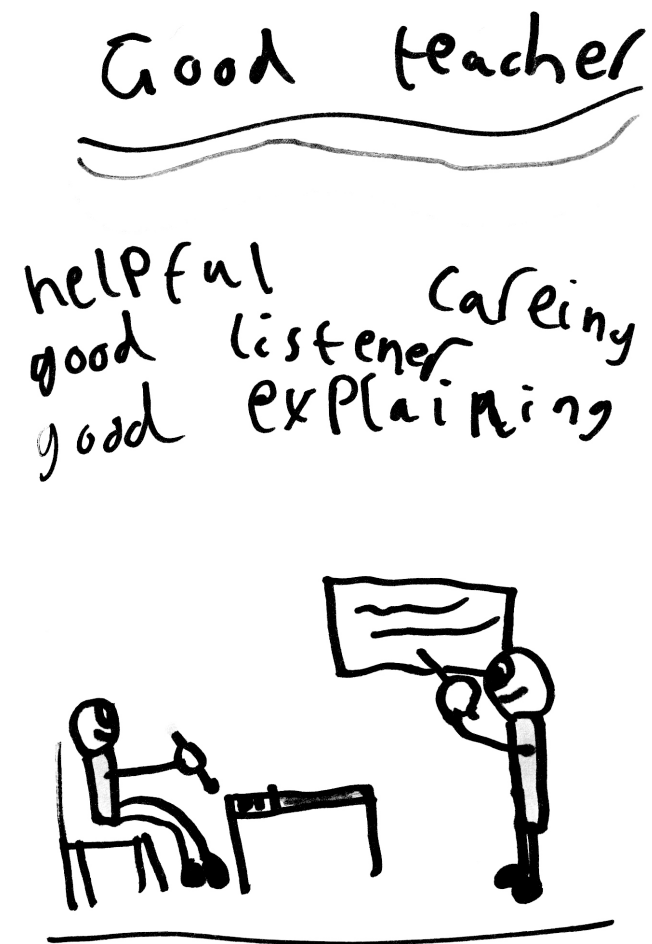


3. Education

Dignity in schools

“Try and understand what is going on in our life and in our heads instead of automatically giving out detention or worse, abuse.”

(MCP)



Having a positive relationship with teachers and other adults in school is really important to make sure children and young people are happy, healthy and safe to learn and grow. This includes shout-free schools, children and young people being involved in teacher education and training, children having a say in decisions in school, and having a say about what and how they learn.^{9 10}

Question: What is Scottish Government doing to make sure children and young people are treated with dignity in schools and that all their rights are realised?

Recommendation: Scottish Government should make sure teachers act in ways that uphold children and young people’s human dignity.

Education reform

“It doesn’t help your talent. It only helps with literacy and numeracy.”

(Education Reform consultation)

“The reality is that young people in education have felt let down and ignored over the course of the pandemic.”

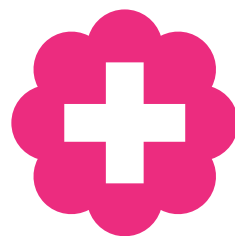
(MSYP)

Our education system is going through lots of changes. The Scottish Government made a promise to improve the system after lots of issues were highlighted by the COVID-19 pandemic. We want the new education system to be stronger, more inclusive and fairer for all learners than it was before. We want Article 29 UNCRC to be at the heart of reforming the education system – so that the new system is one that develops our personality, talents, mental and physical abilities to their fullest potential. The new system should focus on the importance of relationships and put children and young people’s views at its heart. We want schools to celebrate all different kinds of achievement – not just being good at tests and exams, but instead on developing our skills, abilities and personalities.

Question: What is Scottish Government doing to put a children and young people’s rights-based approach at the heart of the new education system?

Recommendation: Scottish Government should change the definition of a ‘successful learner’ and develop an education system that enhances children and young people’s skills, talents and personalities rather than focusing on tests and exams.





4. Mental health

“Mental health can affect your physical health, and vice versa.”

(MCP)

“When we talk about mental health, we often hear the same statistics over and over again. We all know that 1 in 4 people will experience a mental health problem in their lifetime, but statistics are not stories. They do not represent the lived experiences of young people.”

(MSYP)

Lots of big issues in Scotland and around the world have an impact on children and young people’s mental health – the climate crisis, the cost-of-living crisis, COVID-19 and the war in Ukraine are just some recent examples. Children and young people also told us they can feel worried or anxious about exams, bullying, being shouted at by teachers and things happening at home. All of these things can affect children & young people’s mental health.^{11 12}

More needs to be done to support good mental health. We want a happy, healthy and safe school environment; improved learning about health and wellbeing; more support for mental health; more activities, clubs and places to relax and spend time with friends. These things are important at preventing poor mental health.

Children and young people who have mental health difficulties say they are struggling to get professional support because of long waiting times and services that are hard for them to get to. Children and young people want more training for teachers and health care workers, and access to community-based mental health services, which young people told SYP can be more effective and better for them than the more traditional CAMHS model (child and adolescent mental health services).



Question: What is Scottish Government doing to reduce waiting times for children and young people’s mental health services and to help children access support in their local community?

Recommendation: Scottish Government should increase or redirect funding to community-based services.



5. Right to food

“Although children have a right to food, not all children in Scotland have enough food.”

(MCP)

“I know there will be help and support in getting food but it’s not advertised at all and is hard to find.”

(Young person responding to SYP’s Right to Food Consultation)

Lots of families in Scotland are living in poverty and many children and young people don’t have enough nutritious and healthy food or a dignified choice of what to eat. This can mean we don’t have enough energy to thrive in education, do the things we enjoy and, in some cases, has really negative impacts on our health. Lots of children get food from food banks or through charities. We know that this can help but having to get food from food banks still has a stigma and shame attached for some children and young people.^{13 14}

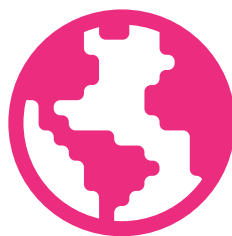
The Scottish Government passed a new law in 2022 that aims to improve the food system. It has also said that it wants to incorporate the right to food into law through a new Human Rights Bill for Scotland. Scottish Government has said it wants to hear people’s views about a new Bill but it has delayed the consultation several times and it is not yet clear how children and young people will be supported to take part.

Question: What is Scottish Government doing to make sure that children and young people can access enough healthy, nutritious food in a dignified way, including when they’re not at school?

Question: When will Scottish Government consult on and introduce the new Human Rights Bill for Scotland? How will the Scottish Government support children and young people to share their views?

Recommendation: Scottish Government should make healthy and nutritious food less expensive and more accessible. The Scottish Government and local authorities should extend the provision of free school meals to all pupils in secondary schools and support those not in schools to access this as well.¹⁵





6. Climate change and a healthy environment

“Car fumes worry me! Adults need to get on it!”

(MCP)

“People often talk about how ‘young people are the future!’, but neglect to acknowledge that we are right here in this moment, watching our planet being picked apart - and we do not want any role in this future that is being built on our behalf.”

(MSYP)

Lots of children and young people are concerned about the state of the environment, climate change and how this will affect our health, wellbeing and our futures. We know the Scottish Government has made a Climate Change Plan but we do not think it goes far enough and are disappointed that Scotland is missing its targets.

Making sure we have a healthy environment is a big issue but it’s a local one too – we want streets, playparks, greenspaces, and schools that are clean and safe environments to be in. We want to have a say in decisions about the environment and climate change at the local, national and international level.^{16 17}



Question: What is the Scottish Government doing to make the environment cleaner and safer for children and young people?

Question: What is the Scottish Government doing to respond to ‘eco-anxiety’ and the impact this is having on children and young people’s mental and physical health?

Recommendation: Scottish Government should make sure children and young people are involved in decisions about climate change and the environment at local and national level. The need for urgency should never be a reason to bypass children and young people’s Article 12 rights.

Supporting organisations

The organisations below supported our research and helped us create this report. We’d particularly like to thank the Children and Young People’s Commissioner Scotland for funding the report.

Children and Young People’s Commissioner Scotland

The Children and Young People’s Commissioner Scotland is an independent children’s rights institution and is responsible for promoting and safeguarding the rights of all children in Scotland. The Commissioner has powers to review law, policy and practice and to take action to protect rights. He joined with his colleagues in Wales and Northern Ireland to prepare a joint report to the UN Committee on the Rights of the Child and their young advisers prepared a parallel children and young people’s report. **Both are available from the Commissioner’s website.**

Children’s Parliament

Established in 1996, Children’s Parliament is dedicated to the realisation of children’s human rights in Scotland. Its dream is that children grow up in a world of love, happiness and understanding. Its mission is to inspire greater awareness and understanding of the power of children’s human rights and to support implementation of the United Nations Convention on the Rights of the Child (UNCRC).

Through its rights-based practice, Children’s Parliament provides children up to 14 years of age with opportunities to share their views, experiences, and ideas so that they can influence positive change in their lives at home, in school and in the community. It uses creative, participatory and play-based methods to support children to meaningfully engage in decisions that affect them.

Scottish Youth Parliament

The Scottish Youth Parliament (SYP) is the democratic voice of Scotland’s young people. Its vision for Scotland is of a nation that actively listens to and values the meaningful participation of its young people. The Parliament’s goal is to make this vision a reality, in order to ensure young people in Scotland grow up loved, safe and respected, and able to realise their full potential.

SYP’s mission is to provide a national platform for young people to discuss the issues that are important to them, and campaign for changes to the nation that they live in. It supports its members in their work by training them, supporting their personal development and empowering them, using a youth work ethos.

Members of the Scottish Youth Parliament (MSYPs) listen to and recognise the issues that are most important to young people in every community across the country and ensure that decision-makers listen to their voices.

Together Scottish Alliance for Children’s Rights

Together (Scottish Alliance for Children’s Rights) is an alliance of 500 children’s organisations, academics, interested professionals and individuals. Its vision is that all children have their human rights respected, protected and fulfilled. To achieve this, Together works to inspire and enable everyone to put children’s human rights at the heart of everything they do. Together works to promote the UN Convention on the Rights of the Child; to help children’s organisations and professionals to integrate the UNCRC into their work; and work with children, young people and our members to monitor and report on progress made at Scottish and UK level. The endnotes below illustrate where further information on each issue can be found in Together’s alternative NGO report to the UN Committee on the Rights of the Child.

Endnotes

¹ For example, Children's Parliament's How are You Doing? Surveys, engagement for the annual cabinet meeting and "Children's Parliament Investigates projects; Scottish Youth Parliament's 2020 *From Scotland's Young People* manifesto, #WhatsYourTake survey, LockdownLowdown project, and Right to Food survey. Joint Children's Parliament and Scottish Youth Parliament engagement in relation to education reform.

² See: Children's Commissioner for Scotland, Children's Commissioner for Wales, NICCY (2022). Report of the Children's Commissioners of Northern Ireland, Scotland and Wales to the United Nations Committee on the Rights of the Child ("**Commissioners Report**"), p6; and NICCY, Children and Young People's Commissioner Scotland, Children and Young People's Commissioner for Wales (2022), Your Decisions – Our Life, Our Rights, Our Say! Report from the children of Northern Ireland, Scotland and Wales to the United Nations Committee on the Rights of the Child ("**Your Decisions**"), p4.

³ Together (2022). NGO alternative report to the UN Committee on the Rights of the Child ("Together report"), p12.

⁴ See: **Commissioners Report**, p14; and **Your Decisions**, p9.

⁵ See: **Commissioners Report**, p15; and **Your Decisions**, p14.

⁶ See: Together report, p23.

⁷ See: **Commissioners Report**, p21; and **Your Decisions**, p13.

⁸ See: Together report, p20.

⁹ See: **Commissioners Report**, p54; and **Your Decisions**, p66.

¹⁰ See: Together report, p47.

¹¹ See: **Commissioners Report**, p39; and **Your Decisions**, p39.

¹² See: Together report, p42.

¹³ See: **Commissioners Report**, p50; and **Your Decisions**, p42.

¹⁴ See: Together report, p41.

¹⁵ Scottish Youth Parliament (2022). **Right to Food Survey** – 86% of participants said this was a key way to uphold their right to food, and over 75% said this would make them more likely to eat lunch at school.

¹⁶ See: **Commissioners Report**, p52; and **Your Decisions**, p49.

¹⁷ See: Together report, p46.



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