

Child Poverty (Scotland) Bill

MSP Briefing – Stage 3

General

Growing up in poverty is one of the biggest barriers to children being able to realise their rights. In Scotland, more than a quarter of children currently live in poverty. In 2015-16 around 260,000 children were living in relative poverty after housing costs.

Poverty has the potential to negatively impact on a whole range of children's human rights, including the right to health, the right to education and the right to an adequate standard of living. As such, we welcome the creation of the Child Poverty (Scotland) Bill and the ambitious targets contained within it. We believe that the Bill sends a powerful message that Scotland is serious about tackling child poverty.

This briefing highlights our views on key amendments proposed at Stage 3.

Poverty and Inequality Commission

We welcome amendments to the Bill which seek to allow for the Poverty and Inequality Commission to be placed on a statutory footing. We also welcome those amendments which recognise the interim child poverty reduction targets introduced via amendment at Stage 2.

We therefore support Amendments 4, 28, 29-39 in the name of Angela Constance MSP.

Equalities

We are supportive of the equalities amendments tabled by Jackie Baillie MSP, as they will ensure children with protected characteristics, or living in households where someone has a protected characteristic, are recognised as being at most risk of poverty.

The UN Committee on the Rights of the Child, in their 2016 Concluding Observations, expressed concern that the rate of child poverty in the UK remained high and disproportionately affected children with disabilities, children living in a family or household with a person or persons with a disability, households with many children and children belonging to ethnic minority groups.¹

In 2016, the UN Committee on Economic, Social and Cultural Rights also highlighted that poverty was more prevalent amongst lone-parent families². This includes families where there has been a

¹ http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC/C/GBR/CO/5&Lang=En

² http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=E/C.12/GBR/CO/6&Lang=En

relationship breakdown and families escaping domestic abuse. This may also include younger parents, some of whom may be care experienced.

In 2017, the UN Committee on the Rights of Persons with Disabilities also highlighted the 'lack of a policy framework addressing the poverty of many families with children with disabilities' and urged the UK and devolved governments to 'eliminate the higher level of poverty among families with children with disabilities'³.

As such, we believe that there is a strong rights imperative for ensuring that the delivery plan and local child poverty action reports accurately reflect the fact that some families are statistically more likely to be living in poverty than others.

We therefore support Amendments 41, 44, 45, 46 and 47 in the name of Jackie Baillie MSP. We also support Amendment 1 in the name of Pauline McNeill MSP (where it is not pre-empted by Amendment 7) and Amendment 8 in the name of Angela Constance MSP.

Delivery Plan

We welcome Amendment 42 in the name of Alison Johnstone MSP which seeks to ensure the delivery plan explicitly states whether Scottish Ministers will provide for an increase in child benefit, using the top-up powers contained in Section 24 of the Scotland Act 2016. We also acknowledge the amendment by Pauline McNeill MSP which seeks to make similar provisions in relation to child tax credit and universal credit.

We are part of the 'Give Me Five' campaign, led by the Child Poverty Action Group, which believes that an increase in child benefit is the best way to ensure that children are lifted out of poverty. The Child Poverty Action Group has stated that an increase of £5 per child, per week, would reduce child poverty in Scotland by 14% and lift 30,000 children out of poverty⁴.

Article 4 of the UN Convention on the Rights of the Child states that the UK and devolved governments should 'undertake all appropriate legislative, administrative and other measures for the implementation of the rights recognised in the Convention', emphasising that this should be 'to the maximum extent of their available resources'⁵

We believe that the universality of child benefit means that it is the right medium through which to alleviate child poverty. We are concerned that if the focus is purely on child tax credits or universal credit, then children living on the edges of poverty are likely to be missed.

³ http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD/C/GBR/CO/1&Lang=En

⁴ <http://www.cpag.org.uk/content/give-me-five-child-benefit-top-campaign>

⁵ <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx>

We are also supportive of Amendment 40 in the name of Alison Johnstone MSP, which will ensure that a clear assessment of financial resources required to fund child poverty alleviation measures will appear in the delivery plan.

We therefore support Amendment 42 in the name of Alison Johnstone MSP.

We therefore support Amendment 40 in the name of Alison Johnstone MSP.

Parliamentary Scrutiny

We welcome the proposed amendments which allow for increased Parliamentary scrutiny of measures arising from this Bill.

We therefore support Amendments 12, 23, 31, 34 and 37 in the name of Angela Constance MSP.

Consultation with Children and Young People

As previously stated, we are supportive of Amendment 44 tabled by Jackie Baillie, which seeks to broaden the range of people consulted by Scottish Ministers when preparing a delivery plan. We particularly welcome the recognition that this consultation should encompass organisations working with children.

We would highlight that Article 12 of the UN Convention on the Rights of the Child provides children and young people with the right to have their views heard when decisions are being made that directly affect them⁶.

Engaging with organisations with existing positive relationships with children and young people living in poverty is likely to provide the best opportunity to meaningfully consult with them.

We therefore support Amendment 44 in the name of Jackie Baillie MSP.

Further Information

Should you require any further information in relation to this briefing, please contact Pauline McIntyre, Parliamentary & Policy Officer in the first instance via pauline.mcintyre@cypcs.org.uk.

PM 3/11/17

⁶ http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC/C/GBR/CO/5&Lang=En