

## **Response: A Child Poverty Bill for Scotland**

**Do you agree with the Scottish Government including in statute an ambition to eradicate child poverty?**

Yes.

The role of the Children and Young People's Commissioner Scotland is to promote and safeguard the rights of children and young people in Scotland with particular reference to the United Nations Convention on the Rights of the Child (UNCRC). In their Concluding Observations, 2016, the UN Committee on the Rights of the Child expressed concern at the repeal of the statutory targets contained within the Child Poverty Act 2010 and recommended that the State party "Set up clear accountability mechanisms for the eradication of child poverty, including by re-establishing concrete targets with a set time frame and measurable indicators, and continue regular monitoring and reporting on child poverty reduction in all parts of the State party;" and "ensure clear focus on the child in the State party's poverty reduction strategies and action plans"<sup>1</sup>.

The Scottish Government's ambition to eradicate child poverty is consistent with the Committee's Concluding Observations and in line with their duty in Part I of the Children and Young People (Scotland) Act 2014 to consider and take steps to secure better or further effect UNCRC commitments.

Child poverty has a corrosive impact on children's social, emotional and cognitive development. Addressing child poverty is recognised as one of the most important ways to reduce educational inequality. The consultation paper acknowledges child

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<sup>1</sup> Committee on the Rights of the Child, 2016. *Concluding observations on the fifth periodic report of the United Kingdom of Great Britain and Northern Ireland*. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G16/149/88/PDF/G1614988.pdf?OpenElement>

poverty is linked to a range of adverse outcomes for children and young people, many of which also prevent their UNCRC rights from being fully realised. For example, children living in poverty are more likely to experience poor health (Article 24) and they are less likely to achieve in education (Article 28). In addition, Article 26 of the UNCRC states that children and young people should get financial support from the State when their parents or guardians are unable to provide them with a good enough standard of living by themselves.

However, I note that what is proposed is an ambition, rather than a duty. I believe that, to ensure progress towards the eradication of child poverty there needs to be a duty on Scottish Ministers to do take specific measures within their powers to meet that ambition.

### **What are your views on making income targets statutory?**

I support the proposal to make income targets statutory. The use of statutory targets brings with it a responsibility to sufficiently fund targeted programmes at local level to ensure the targets are met. I have a general concern that without the full levers of power regarding income generation and maintenance, including social security powers, it will be difficult to fully address income inequality.

### **How do you think the role of the Ministerial Advisory Group on Child Poverty can be developed to ensure that they play a key role in developing the legislation?**

I welcome the proposal to develop the role of the Ministerial Advisory Group on Child Poverty as an advisory board to Ministers and feel their role could be developed into one of monitoring and challenge. One important aspect of the role could be setting and monitoring interim targets to ensure that Government is on target to meet their ambitious goal to end child poverty by 2030. It would be worth considering funding an independent research programme alongside the use of interim targets to ensure the programme is kept on target.

**How can links between the national strategy and local implementation be improved? What could local partners do to contribute to meeting these national goals? This might include reporting and sharing best practice or developing new strategic approaches.**

It is important that strong links are developed between local authorities, Scottish Government and statutory and third sector partners to support the eradication of child poverty. However, I feel that in the current budgetary climate it may be difficult for some local authorities to balance the proposed national delivery plan with their other priorities. This could be addressed through legislation placing a duty on local authorities and community planning partners to reduce child poverty, but it might be necessary for funding to be protected to ensure these ambitious targets are met. If tackling child poverty is a top priority for the Scottish Government, it requires this to be mirrored in local activity and funding and protected funding may be warranted for the achievement of this aspect of government policy objectives.

The further development of Child Rights and Wellbeing Impact Assessments (CRWIA), to include an assessment of the impact of proposals on children in poverty, together with a duty on local authorities to conduct CRWIAs on policy proposals, would ensure children's rights are taken into account in all decisions affecting them.

**What are your views on the income-based measures of poverty proposed for Scottish child poverty targets? For example, are there any additional income-based measures you think we should also use (and if so, why)? Are there any alternative examples of measuring income – for example, as used in other countries - that you think could apply in Scotland?**

I believe that it would be useful to include the Minimum Income Standard as a secondary measure to take into account the impact of policies on reducing the cost of living. I also feel it is important to include an assessment of child poverty after childcare costs. Whilst the amount of free childcare available has been increasing, childcare can still have a significant impact on many families. In some groups, for example parents of under-3s and larger families, it can significantly exceed housing costs and can place working families with modest incomes into poverty and presents a major barrier to employment.

**What are your views on the Scottish Government's proposals for the levels of child poverty that the targets will be set at?**

While the ultimate aim must be for no child to grow up in poverty in Scotland, I appreciate that the targets listed in section 6 are in line with the rates achieved in similar sized European states and are therefore realistic at present. However, these targets must not be the final aim of any poverty reduction strategy.

**What are your views on the Scottish Government's proposal to set targets on an after housing costs basis? For example, are there any disadvantages to this approach that we have not already considered?**

I support this approach as it will provide an opportunity to assess the impact housing policy is having on poverty reduction, however please note my response to question 5. For some families housing is not the largest fixed cost.

**What are your views on the Scottish Government's proposal to set targets that are expected to be achieved by 2030?**

I am disappointed that the UK government has abandoned child policy targets, which were set for 2020, but accept that these are no longer realistic. I feel that, with the <http://bit.ly/2e5KiQz> Scottish Government's new powers, the targets set out in the consultation paper are mostly achievable (subject to my general reservation at Q2), but they must be carefully monitored, with interim targets set, to ensure they are delivered.

**What are your views on the proposal that Scottish Ministers will be required by the Bill to produce a Child Poverty Delivery Plan every five years, and to report on this Plan annually?**

I feel this is a sensible timescale for delivery plans and welcome the proposal to report on progress annually, though such reports must recognise that measurable change as a result of some interventions may not be evident for some years.

**Do you have any suggestions for how the measurement framework could usefully be improved? For example, are there any influencing factors that are not covered by the measurement framework? Or are there any additional indicators that could be added?**

I feel that the measurement framework requires some refinement to ensure that all indicators are directly related to ending child poverty, rather than including measures which correlate to child poverty, for example those related to smoking and stopping to talk to neighbours.

I also feel that the measurement framework could usefully be supplemented by a research programme (see response at Q3) supporting it and evaluating the success of different measures, such as that which was undertaken over recent years with relation to the implementation of homelessness legislation.

**Do you have any additional views on a Child Poverty Bill for Scotland?**

I feel it is important that any legislation and subsequent Child Poverty Delivery plans take into account the views of children and young people living in poverty, in accordance with their rights under Article 12 of the UNCRC. I believe that children and young people are able to bring important understandings of how poverty affects their lives and they are also in a position to offer innovative ways of addressing poverty. They should be central to the process and involved at all stages of policy and decision making and part of a wider strategy on participation of children and young people.

I support the call from the Poverty Alliance and Child Poverty Action Group for an increase in child benefit as a means of addressing child poverty.

**Tam Baillie**

**Children and Young People's Commissioner Scotland**

**7 October 2016**