CHILDREN & YOUNG PEOPLE'S Commissioner Scotland

OUR YEAR 2016-17




Involve
Love
Human Rights
Learn
Happiness
Under
Law
Participate
Listen
Promote
Protect



What the Commissioner does

The Children and Young People's Commissioner Scotland promotes and safeguards the rights of children and young people. Established by the Scottish Parliament in 2003 in accordance with UN principles, the Commissioner provides a bridge between the international legal framework and the implementation of those rights in Scotland.

The Commissioner has many statutory duties. In particular the Commissioner must:

- promote awareness and understanding of the rights of children and young people
- review law, policy and practice to examine their effectiveness in respecting the rights of children and young people
- promote best practice by service providers
- promote and commission research on matters relating to the rights of children and young people
- encourage the involvement of children and young people in his work

The Commissioner works for all children and young people under the age of 18, or up to 21 if they are care experienced.

Who the Commissioner is

The current Commissioner is Bruce Adamson who took up the post in May 2017. **This annual report covers the final year of Tam Baillie's term as Commissioner.**

The Commissioner works with a team of people who support the work across policy, participation and education and corporate services.



Introduction to our report

This annual report for April 2016 to March 2017. Tam Baillie was the Commissioner for this period and this is his final annual report as he demitted office in May 2017 after an eight-year term.



This report reflects the exciting work we have been doing in the past year.

In May 2016 the UK Government and devolved governments were examined by the **United Nations Committee on the Rights of the Child** on their progress in implementing the UN Convention on the Rights of the Child.

Many of the key Concluding Observations can be directly traced back to the issues we highlighted, in our reports, evidence and meetings with the Committee, for example, the use of restraint and isolation rooms in special schools and the need for children with mental health conditions to be treated as close to home as possible.

This year we continued our work with the Independent Advisory Group on **Stop and Search**, chaired by John Scott, QC where we created a specific Children and Young People's chapter in the Statutory Code of Practice on Stop and Search, highlighting the importance of explaining each step of the process, using clear and accessible language and alerting Police Officers to the specific needs of some groups of children and young people, including those with learning disabilities or care-experienced young people.



We are also proud of progressing the findings of our **Equally Protected?** report which we commissioned jointly with Barnardo's Scotland, Children 1st and NSPCC Scotland, to highlight the effects of physical punishment on children and young people. Children have the right to equal protection from assault as adults and the defence of 'justifiable assault' in law needs to be removed. At time of printing, we are hopeful that John Finnie MSP's consultation will become a Members' Bill.



We worked on a joint participation project developed with Scottish Women's Aid to examine the systems surrounding **court ordered parental contact orders** in the context of domestic abuse. This has helped inform our work to increase the recognition of the harm done to children by domestic abuse, as the Domestic Abuse (Scotland) Bill is considered in parliament. Working with children and young people with direct experience of the issues we produced films and feedback to influence change. It is intended that a toolkit on the methodology used in this project will help adults to support the voices of other vulnerable children and young people to be safely and ethically engaged and heard.

One of the office's statutory duties is to promote and commission research on matters relating to the rights of children and young people and this year we produced a report with partners to identify the concerns and issues of **young carers** around the impact of caring responsibilities on their mental health and wellbeing. We also undertook research with Nourish Scotland and Home–Start UK Scotland to find out what children think about food insecurity, using a range of activities. We have been using the report and the issues and ideas raised by the children to highlight that food insecurity and poverty is a violation of children's human rights.

Finally, we are proud of running a **young bloggers** pilot project this year which gave the volunteer children and young people direct control over the way we communicate online. The young bloggers regularly published their work on a variety of topics on our website which were also picked up by others. We would like to run this project again so will be on the lookout for more keen contributors in in the future.



Message from Tam Baillie, Children and Young People's Commissioner (2009- 2017)



It seems only a short time ago that I took up office in May 2009, yet much progress has been made and I am proud of the many achievements during my tenure in 2016-17, I am pleased to report progress in work on domestic abuse, where court ordered contact is one of the work streams which will be progressed under the Ministerial Group for Equally Safe. This work will be informed by the views and experiences of young people affected through the joint work undertaken by my office and Scottish Women's Aid – entitled, Power Up, Power Down.

In Scotland, we still have almost one in four children affected by poverty. It is a shocking indictment of our tolerance to inequality in our society. As long as we have children living in poverty, Scotland's worthy ambitions in terms of early years development, educational achievement and life chances for our children will be thwarted. It remains to be seen whether the good intentions of the Child Poverty Bill or the Social Security transfers will translate into improvements on the scale required: if not, we will continue to spend disproportionate resources combatting the effects of poverty on our children.

This is also a time of change and upheaval with the ongoing Brexit negotiations. There are many protections to children and young people provided through EU membership and these must remain. There is an opportunity to enshrine them in UK and Scots Law but there is also a threat that some may be lost – this would greatly damage progress already made through EU directives and must be guarded against.

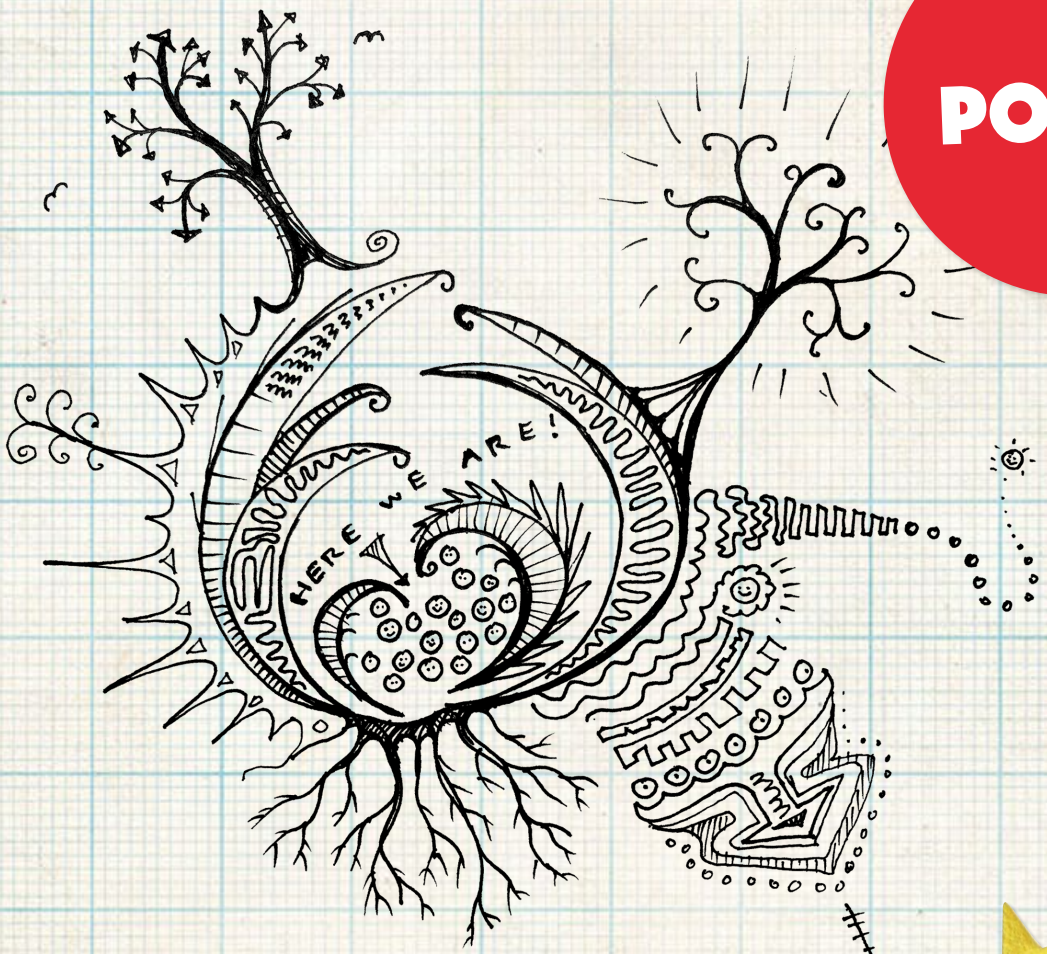
In April 2016, I laid before the Sottish Parliament, my office's Strategic Plan 2016-20 which will form the basis of the immediate future work of the office. As I noted in my foreword to that Plan, I focused the plan on high level activity to provide sufficient flexibility for the new Commissioner's priorities.

If my tenure has confirmed one thing for me it is the fundamental importance of relationships with children and young people. Time and time again, they report that this is the aspect of their development they most cherished: the teacher who inspired them; the youth worker who created an unexpected opportunity; or the care worker who stuck with them through thick and thin – and these are the places where children's rights have meaning. Whatever else happens in the external world, we can exert control of those relationships and can exert influence in the small spaces where children's rights blossom and take root for a life time.

Finally, I wish my successor, Bruce Adamson and the very talented team every success in making further progress in children's rights in Scotland.

The policy team work to make sure that the rights, interests and views of children and young people are at the forefront of people's minds when creating new legislation and policy.

POLICY





UN Reporting

In May 2016 the UK Government and devolved governments were examined by the United Nations Committee on the Rights of the Child. This process, known as a State Examination, happens approximately every 5-8 years and assesses the UK on their progress in implementing the UN Convention on the Rights of the Child. The Committee questions representatives from all UK Governments on the written evidence they have submitted in advance to the Committee. The Committee also looks at evidence submitted by non-governmental organisations, including the four UK Children's Commissioners. This evidence highlights where children's rights are not being protected – and provides an alternative view point to the government's.

As part of this process, we submitted several reports to the Committee in partnership with the other UK Children's Commissioners' offices. We made sure that the key issues in Scotland were highlighted to the Committee and pushed for Scotland-specific Concluding Observations. We also attended the State Examination in Geneva, and met with the UN Committee on the Rights of the Child before one of the evidence sessions, to talk privately about issues of concern.

IMPACT

At the end of the State Examination, the Committee makes a series of recommendations, or Concluding Observations. These recommendations form the basis of the next examination, so they are a useful lever for change. This year, many of the key Concluding Observations can be directly traced back to the issues we highlighted, for example, the use of restraint and isolation rooms in special schools and the need for children with mental health conditions to be treated as close to home as possible.



Stop and Search

This year we continued our work with the Independent Advisory Group on Stop and Search, chaired by John Scott, QC.

Consultation carried out by the Scottish Government with children and young people via the Children's Parliament and the Scottish Youth Parliament highlighted key issues in relation to them being stopped and searched – this included not understanding why a search was taking place, confusion over their rights and embarrassment in being searched in front of friends or family.

This led to us creating a specific Children and Young People's chapter in the Statutory Code of Practice on Stop and Search, highlighting the importance of explaining each step of the process, using clear and accessible language and alerting Police Officers to the specific needs of some groups of children and young people, including those with learning disabilities or care-experienced young people.

We presented evidence to the Justice Committee's Sub-Committee on Policing at the Scottish Parliament in January 2017 where we highlighted the difference that early consultation with children and young people had made. Rather than adults writing a new chapter on children and young people's needs and then consulting with them on this, instead the whole process was guided by their views and their needs.

Equal Protection

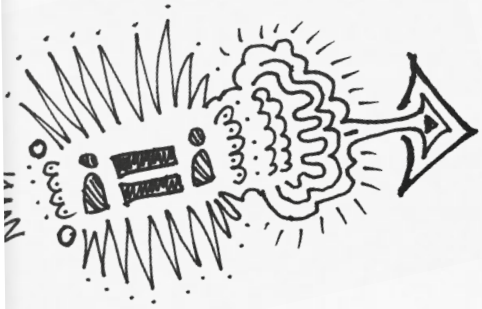
A significant piece of work this year has been around progressing the findings of our Equally Protected report which we commissioned jointly with Barnardo's Scotland, Children 1st and NSPCC Scotland, to highlight the effects of physical punishment on children and young people. We have framed our work in terms of 'Equal protection' to reflect that children currently have less protection from assault than any other group in Scotland.

Since the report's publication, we have held a joint Parliamentary Seminar and hosted fringe events at party conferences to highlight the report's findings. We have also worked alongside Scottish Green Party MSP, John Finnie, on a consultation which, if successful, will lead to the introduction of an Equal Protection Member's Bill.

The Bill will seek to remove the defence of 'justifiable assault', which currently allows parents to say that an assault on their child was justified, providing it was administered as a punishment and did not involve hitting the child with an implement, shaking them or hitting them around the head.

Our progress is being followed closely by our colleagues elsewhere in the UK. In March 2017, we presented our findings to a seminar in Belfast, hosted by the Northern Ireland Commissioner for Children and Young People.





Evidence and Procedure Review – Next Steps

This year we worked with the Scottish Courts and Tribunal Service to progress the findings of the Evidence and Procedure Review – Next Steps report We participated in two working groups – one looking at Joint Investigative Interviews and the other looking at wider issues around children giving evidence in court.

Joint Investigative Interviews involve both a Police Officer and a Social Worker, and are designed to explore a child protection concern about a child. They assist in safety planning and can also be used to inform a Children's Hearing or as evidence in court.

The Joint Investigative Interviews group found that many Joint Investigative Interviewers are rarely called upon to use their skills, given the high number of Police Officers and Social Workers who are trained. The group recommended that instead there should be a smaller pool of highly trained interviewers, able to use their skills on a more regular basis. This would lead to higher quality interviews and an improved ability to build rapport with the children and young people they were working with. The group also looked at other factors, such as whether these interviews were held in child-friendly venues and whether the equipment used to record interviews was of a high enough quality.

We also took part in a further work-stream looking at the experiences of children and young people giving evidence in criminal courts. A new practice note was developed by the Lord Justice Clerk, Lady Dorrian, in conjunction with the group. This explored best practice in taking evidence on commission from children and young people.

The group's wider work was designed to ensure that children and young people should not have to give evidence in open court, recognising that the current court system in Scotland was not child and young person centred.



Young Carers

We commissioned research to identify the concerns and issues of young carers around the impact of caring responsibilities on their mental health and wellbeing. We worked closely with our partners, Carers Trust Scotland and Scottish Young Carers Alliance along with our research contractor, Blake Stevenson Ltd. We also had the benefit of research support from the Child and Adolescent Health Research Unit, University of St Andrews.

We used a survey approach with young carers helping to design the survey. We used a matching process to compare a group of young carers who completed the survey with responses from a sample of young people who completed the HBSC survey and this innovative approach yielded interesting findings.

There were lots of key messages from this research including how often the positive aspects of caring are overlooked. Young carers have greater feelings of self-worth than others but those with the greatest caring responsibilities are more likely to feel the negative aspects of caring: they are less happy, they sleep less, they are more likely to report stress related factors and negative health symptoms. So, getting support for young carers is important. We are also aware that there are many young carers that we didn't reach, who are undertaking caring responsibilities, unknown and unsupported.

As well as other dissemination activities, we shared our findings at a seminar of key stakeholders on 23rd March. We asked participants to think about a key point of the research, asked them to make a promise on what they had heard about the research and also what their pledge would be.

Many made promises to share the findings, to carry on supporting, to raise awareness and understanding, to 'check in with young carers' and to' listen to the voice of young carers'.

"Create an environment where young carers can ask for help"

We continued to raise awareness of the findings including our research manager giving a presentation at a Carers Trust Scotland event.



Children's views of food insecurity

We undertook a small–scale piece of research with Nourish Scotland and Home–Start UK Scotland to find out what children think about food insecurity, using a range of activities designed for this project. Children who took part were perceptive and very aware of the issues even if the phrase 'food insecurity' was not a concept they fully understood. We found that children from a young age do understand issues around food and particularly that some children might not have access to nutritious food, and why that might be.

In our submission to the UN Committee on the Rights of the Child, the expert body which monitors implementation of the Convention on the Rights of the Child, our office raised concerns that the UK's response to the global economic downturn, including the imposition of austerity measures and changes to the welfare system, had resulted in a failure to protect the most disadvantaged children from child poverty, preventing the realisation of their rights under articles 26 and 27 of the Convention on the Rights of the Child (the right to benefit from social security and the right of every child to a standard of living adequate for the child's physical, mental, spiritual, moral and social development). We also noted that the best interests of the children were not central to the development of these policies and that children's views were not sought.

In its response to the UK's report, through its Concluding Observations, the Committee raised concerns about the lack of child food security and noted that some research indicated that currently available programmes may not be responding to child hunger. It urged the UK's governments:

- to systematically collect data on food security and nutrition for children in order to identify the root causes of child food insecurity and malnutrition, and
- to regularly monitor and assess the effectiveness of policies and programmes on
- child food security and nutrition, including school meal programmes, food banks and programmes addressing infants and young children.



Seminar series 2016–17

We ran a 'Reflections on research' seminar series to bring together ideas about research and to share knowledge and understanding. Guest speakers provided a range of insights and perspectives on their research with young people and we also looked at evaluation and how it could help to reflect on practice and engagement.

We also hosted the launch of a report by Newcastle University on 'Muslim youth and political participation in Scotland' when we had a stimulating presentation from some young people from Shawlands Academy about how to engage with young people in research giving great insight into involving young people.

Corporate Parenting Collaboration Group

We convened a Corporate Parents Collaboration Group for organisations named under Schedule 4 of the Children and Young People (Scotland) Act (2014). The group had its first meeting in August 2016 and agreed its terms of reference which are to facilitate discussion and exchange of practice between corporate parents, identify areas for joint working, for example, projects, seminars and other events, alert group members to relevant activities and highlight any relevant research and invite external guests as appropriate with a view to sharing information on issues relating to our role as corporate parents.

We are a corporate parent. A corporate parent is the name given to an organisation or person who has special responsibilities to care experienced and looked after children and young people.

Co-ordinated the Scottish leg of the visit of the UN Special Rapporteur on Toxics, Mr Baskut Tuncak to the UK

We organised the Scottish wing of the mission of the Special Rapporteur on Toxics to the UK, 17-31 January 2017, identifying witnesses and other key representatives from across civil society and setting up individual and joint meetings. The Rapporteur met with civil society and with Scottish Government officials to discuss the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes as well as the impact of air pollution on children. This was part of a wider UK fact finding mission, at the invitation of the UK Government.

Mr Tuncak examined the impact of governmental management of disposal of hazardous substances and wastes and analysed national policies, programmes and institutional mechanisms. One of the issues raised with Mr Tuncak related to the effect that local sewage sludge was having on children in a primary school in Falkirk. Some activities, such as their sports day had been cancelled as result of the stench and some children were ill. This rights issue was referred to in the Rapporteur's draft report.



UN General Day of Discussion - September 2016

The purpose of General Discussion Days is to foster a deeper understanding of the contents and implications of the Convention as they relate to specific articles or topics. The2016 general discussion day was on the issue of children's rights and the environment held. The United Nations identified two aims for the day: to promote understanding of the relationship between children's rights and the environment and to work out what needs to be done so that children's rights and environmental issues are linked up to make better laws and policies.

We produced a submission for this General Day of Discussion, noting that the right to a healthy environment is a precondition for the enjoyment of other rights set out in the United Nations Convention on the Rights of the Child (UNCRC). Our Head of Policy, Máire McCormack also participated in the day which took place on 23rd September 2016, during the 73rd session of the UN Committee at the United Nations Office in Geneva.



Máire McCormack, Head of Policy

In September 2016, we also responded to the European and External Relations Committee's request for evidence around Scotland's relationship with the EU following the UK's vote to leave the European Union and have worked closely with others in Scotland and across the UK on this, highlighting the potential impact of children's rights of the Brexit vote. This has included contributing to a workshop organised by Edinburgh University held in October 2016 which looked at the consequences of the United Kingdom's exit from the European Union and the plan to establish a British Bill of Rights.





Under The Same Sky

We also worked in partnership with the International Play Association (IPA) Scotland, the Children's Parliament and Terre des Hommes to develop 'Under the Same Sky', an international collaboration connecting children from six different countries (Australia, Brazil, Mozambique, Palestine, Scotland, Zimbabwe) to the General Day of Discussion.

Using a specially developed toolkit each group worked creatively to explore and re-imagine their local environments by thinking about current challenges, problems, ideas and solutions. They then created a presentation for the UN on how those environments could be improved to enable children to realise their rights to play.

Working together we will refine the Toolkit as a general resource to be freely promoted to support the views of children on their rights and the environment to be heard and taken account of.



The StreetsAhead Tranent Project supported by the Children's Parliament



"I congratulate the children from Scotland, Palestine, Brazil, Mozambique, Australia and Zimbabwe who inspired us with their knowledge, commitment and ideas."

Amal Aldoseri,
Vice Chair of the United Nations Committee on the Rights of the Child.

In Scotland, 250 children from Elphinstone, Windygoul, St. Martin's RC, Ormiston and Sanderson's Wynd primaries explored their local community and built environment and examined how these factors impacted on children's rights and wellbeing in East Lothian.

A smaller group of children then worked through an intensive creative process that culminated in the creation of a 36' x 4' mural reflecting the views of all 250 children who took part in the project.

East Lothian Council and the Fa'side Area contributed funds to allow Children's Parliament to travel with these children - and the mural - to Geneva.

In Geneva the children represented the contributions of all the children who had contributed to StreetsAhead and the children who had contributed to the other five Under the Same Sky projects from other countries. They did this by:
Children from each of the projects also decided on a question to ask the expert panelists in Geneva that reflected their views and concerns. The questions prompted a range of responses from the different perspectives of the panelists, raising the issues in the minds of everyone in the room.

Youth Football

The Petition on Improving Youth Football is now the longest running open petition in the Scottish Parliament. Some limited progress was made in 2016, when the Scottish Football Association (SFA) agreed that children signed to professional football clubs should have an unqualified access to play for their school football team if this opportunity arose. There are however, several outstanding matters which have not been agreed: 15 year olds potentially held to contracts until they are 17 years old; payments of 16/17 year olds which are below Minimum Wage requirements; and PVG checks on football agents engaged with children under 16 years. The Committee has taken further written and oral evidence in 2016-17 and it is clear there is ongoing concern as to the lack of progress on the matters under consideration.

Healthcare Needs in Schools

In 2013, we published "No barriers to medication at school", the results of our research into children and their parents' experiences when they needed help taking medication while at school. Enquiries received by our office shows that this continues to be a cause of children missing school and we have been campaigning for the Scottish Government to review the guidance on Administration of Medicines in Schools, which dates back to 1999.

During 2016 we worked with Scottish Government to produce new guidance on Healthcare Needs in Schools. The new title reflects the fact that children with more complex medical needs are attending mainstream schools. It makes it clear that education authorities have a responsibility to put arrangements in place to ensure children's right to an education is not affected by their healthcare needs.

Additional Support for Learning

We are represented on several Scottish Government groups relating to additional support for learning. These groups advise Scottish Government and we continue to scrutinise to ensure that children's rights are reflected in Scottish Government policy.

Trafficking

During 2016 we worked with Scottish Government on the development of Scotland's Human Trafficking Strategy, and we contributed to the sections relating to children. We also contributed to discussions about age assessments, an issue affecting trafficked young people and those seeking asylum.

Separated Children

We worked with the other UK Children's Commissioners' offices to highlight rights issues raised by the closure of "The Jungle" camp in Calais and the resettlement of children under the Dubs Amendment. We advocated to ensure any children transferred to Scotland were treated as looked after children.

Domestic Abuse

We worked with representatives of Scottish Government and women's and children's organisations, arguing that the harm done to children when their parent is abused was reflected in the Domestic Abuse (Scotland) Bill, which was introduced to parliament in May 2017. Whilst the bill contains some provisions we are continuing to lobby for improvement as it passes through parliament.

Enquiries

We received **308** enquiries/requests for information between 1 April 2016 and 31 March 2017.

Enquiries were received from every local authority in Scotland as well as other UK jurisdictions, France, the Gambia, Nepal, Kenya, Cyprus, the Netherlands, Brazil, Poland, Bosnia- Herzegovina, and Kwazulu-Natal.

We received one enquiry from a whistleblower.

There were eight enquiries directly from children and young people, including young people wanting to know their rights to housing and reporting discrimination against children and young people based on their age.

The largest number of complaints were about public bodies – particularly social work, education and health. Many of these were linked to additional support for learning, primarily focusing on reductions to services. There were also concerns raised about children and young people with additional support needs not receiving their full hours of educational provision.

Children with complex needs continue to suffer from a shortage of appropriate treatment facilities in Scotland, as well as problems with coordination between health, social work and education. This often has a serious impact on their physical and emotional well-being as well as their educational attainment. Concerns about information-sharing and named person were also raised with us – by both parents and professionals

A significant number of enquiries were about looked after children – including problems with continuing care, particularly in cross-local authority placements. Also highlighted was the lack of guidance regarding sanctions used (including withholding allowances and barring from activities) as a behaviour management strategy in residential schools.

Enquiries were also received about transgender issues, including access to toilets and changing rooms when changing schools, requests for gender-neutral uniforms and information-sharing at school regarding changes to gender identity.

Our freephone is

0800 019 1179

You can email us on info@cypcs.org.uk

or text us on 0770 233 5720

Consultation Responses

One of the ways we protect the rights of children and young people is to review proposed policies and legislation that may affect them.

Consultation Reponses and Evidence to Parliament

A Criminal Offence of Domestic Abuse: Scottish Government Consultation Paper. April 2016.

A New Future for Social Security: Consultation on Social Security in Scotland. October 2016.

All-Party Parliamentary Group on Hunger: Inquiry into hunger amongst children during the school holidays. March 2017.

Consultation on a Child Poverty Bill for Scotland. October 2016.

Consultation on Children's Rights and Services Planning. June 2016.

Consultation on Police Powers to Search Children and Young People for Alcohol. June 2016.

Consultation on the Freedom of Information (Scotland) Act 2002 (Time for Compliance) Regulations 2016. May 2016.

Consultation on the New National Health and Social Care Standards. January 2017.

Consultation on the sexual portrayal of under-18s in advertising: Committee of Advertising Practice and Broadcast Committee of Advertising Practice's proposals for new rules. January 2017.

Draft Statutory Guidance: Standards in Scotland's Schools etc. Act 2000. November 2016.

Draft Strategic Police Priorities for Scotland: Consultation Paper. August 2016.

Empowering teachers, parents and communities to achieve excellence and equity in education: a governance review. January 2017.

Mental Health in Scotland - a 10 year vision. September 2016.

Religious Observance: Scottish Government consultation on guidance. March 2017

Parliamentary Evidence

Child Protection in Sport: oral and written evidence to the Scottish Parliament Health and Sport Committee. 7 February 2017.

National Guidance on Restraint and Seclusion in Schools (PE1548): written comments to the Scottish Parliament Public Petitions Committee. June 2016.

Stop and Search: written evidence to the Scottish Parliament Justice Sub-Committee on Policing. January 2017.

The EU Referendum and its implications for Scotland: written evidence to the Scottish Parliament European and External Relations Committee. September 2016.

UK's record on children's rights: written evidence to the UK Joint Committee on Human Rights. October 2016

Child Rights Monitoring

Report on the application of the International Covenant on Economic, Social and Cultural Rights (ICESCR) in Scotland. May 2016.

All our responses, evidence and policy briefings can be found on our website.

Our Participation and Education team work to ensure that Scotland's children and young people have a chance to communicate with the Commissioner and talk about the issues that matter to them.

PARTICIPATION AND EDUCATION



Project Profile

European Network of Ombudspersons for Children's (ENOC) engagement 2016











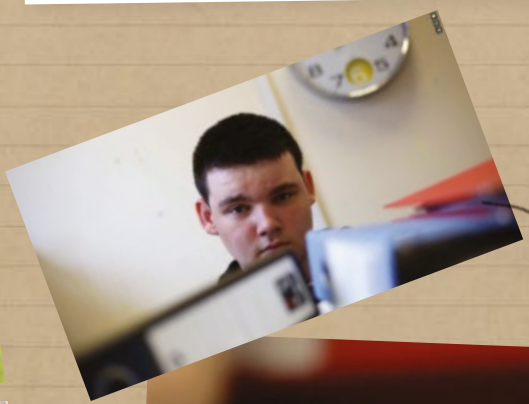






We invited young people from Barnardo's Services in East Ayrshire to help us and the European Network of Ombudspersons for Children's (ENOC) hear their views on and recommendations for improving children and young people's rights to accessing education. This work was part of a project designed to form part of a European perspective involving young people from six different countries.

The topic was explored through three 'Agenda Days' held in Kilmarnock in May and June 2016. Young facilitators trained by Investing in Children, engaged 12 young Barnardo's service users in an open discussion in an adult-free environment. The young people created three reports for adults that captured their views along with a series of recommendations for change and improvement in Scotland. Their chosen focus was 'Access to education and mental health'. They presented their views and recommendations in a film.





IMPACT

The young people's film and reports became part of the whole European perspective presentation delivered at the 20th annual ENOC Conference, 'Equal opportunities for All Children in Education' held in Vilnius, Lithuania in September 2016.

This informed ENOC's position statement and its 11 recommendations created for European Governments. These included recommendations on:

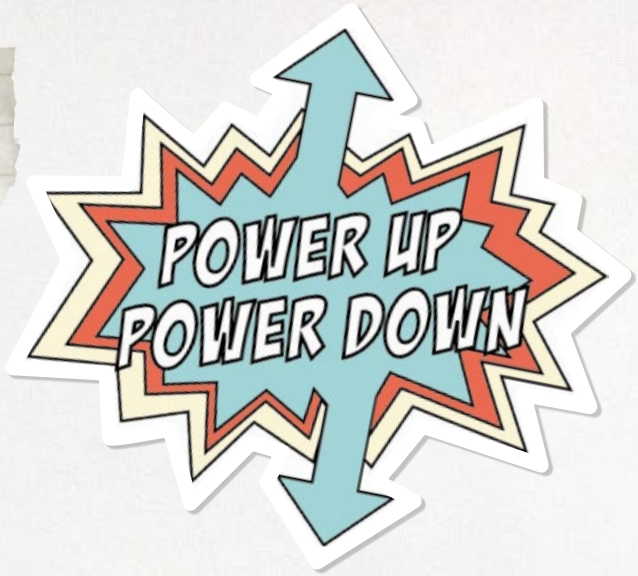
- the impact of austerity and budget cuts on the right/access to education of the most disadvantaged groups of children
- the refugee crisis and the right/access to education of children and young people affected by being on the move
- the benefits of early childhood education and care
- the alarming numbers of early school leavers
- the need to tackle intern and intra school segregation
- the need to train teachers on equal opportunities in education





Project Profile

Power Up; Power Down



Power up; Power down is a joint participation project developed in partnership with Scottish Women's Aid. The project sought to examine the systems surrounding court ordered parental contact orders in the context of domestic abuse.

The project was designed for children with lived experience of domestic abuse to allow them to safely contribute their views on court ordered contact processes and decisions. We also worked in partnership with Glasgow Women's Aid, Shakti Women's Aid and Dunbartonshire Women's Aid who delivered the direct work with children.

27 children and young people aged between six and 17 took part in the project. All the children had lived experience of domestic abuse, and some of the children had lived experience of court-ordered contact or contact proceedings.

We jointly produced an illustrated story based on real case studies about children experiencing domestic abuse and their journey through the family court system in Scotland.

A series of workshops was developed with children's support workers from the three Women's Aid groups. They then delivered a series of six sessions each with children and young people through which they safely and creatively explored their views on how power is used, how children can fully enact their rights, and what would help children to express their views in court proceedings.

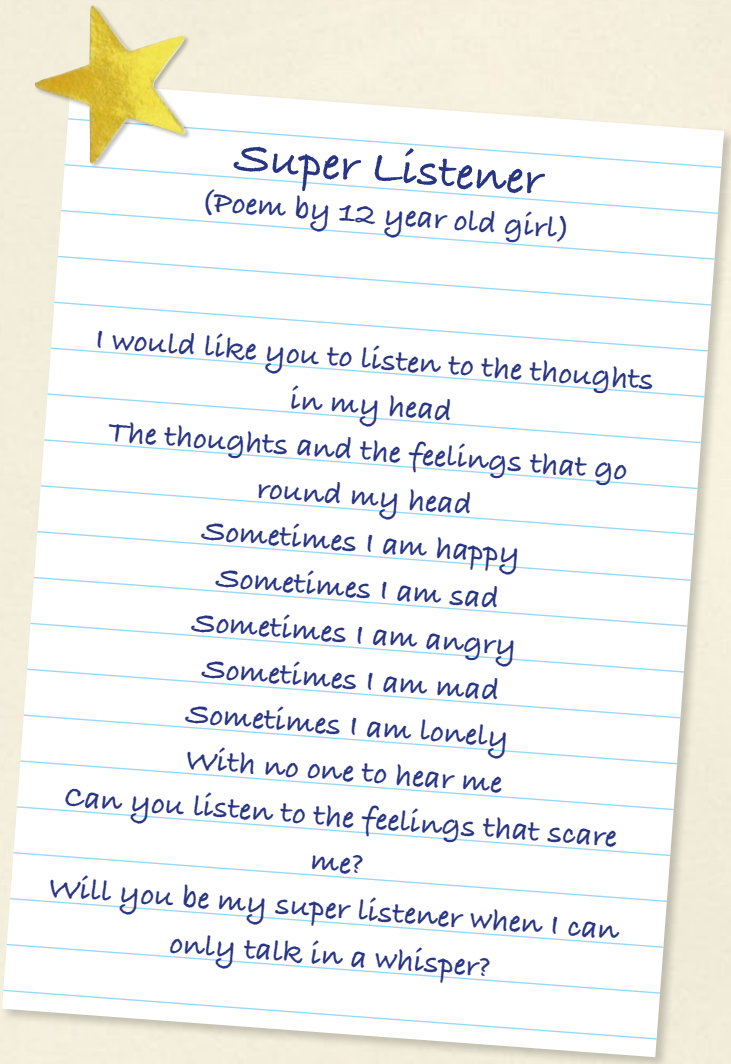
Children and young people were then asked to make changes to the story to improve the outcomes for the children in the story. Their feedback is currently being constructed into a 'changed' story, where their recommendations for systems change and improvements will be integrated so that the children featured in the story will realise their rights to be heard within that system and to be safe.

This original story along with the new, informed story will be developed into a book and animated presentation. This resource, which will preserve the anonymity of the children while being an engaging tool to support professional development and systems improvement, will be presented to and discussed with stakeholders. It is intended that a toolkit on the methodology used will also be developed around the book and animated presentation. This is intended to help adults use the same methodology to support the voices of other vulnerable children and young people to be safely and ethically engaged and heard.

Part of the project was designed to enable the children and young people to respond to The Scottish Civil Justice Council's Family Law Committee review of Form F9. This form is designed to elicit the views of children and young people.

One of the project sessions was developed to specifically focus on how children would like to express their views to the court about contact. This session included activities exploring:

- Children's preferred methods of communication
- Children's ideas of how they would want to make their views known to court
- Feedback on draft revised forms (F9.1 and F9.2) and court letter
- Ideas on how to improve the process for the children in the story



Super Listener

(Poem by 12 year old girl)

I would like you to listen to the thoughts in my head
The thoughts and the feelings that go round my head
Sometimes I am happy
Sometimes I am sad
Sometimes I am angry
Sometimes I am mad
Sometimes I am lonely
With no one to hear me
Can you listen to the feelings that scare me?
Will you be my super listener when I can only talk in a whisper?

Important messages from children included:

- they should be able to choose how to communicate their views to the Sheriff and that this might look different depending on children's capacity, personality, preferences, circumstances and lived experience
- children feel most powerful when they are surrounded by people they trust
- building a relationship with someone you can trust who isn't on one side or the other and knowing that they will help you to make your voice heard was a very common theme
- children who have experience of court proceedings and other systems (including LAC reviews) talked about how often they have to fill out forms they don't understand.
- Most of the younger children involved in the project (6 to 11 years) were not very keen on reading the letters from court – they looked at them and put them to one side. For example, when presented with the drafts, one of the younger children (9 years old) immediately signed the form, put it to one side and said "done it"!

The children's views were submitted to the Scottish Civil Justice Council's Family Law Committee's review process to be considered.

Project Profile

Examples of how people have been using our 7 Golden Rules for Participation



an example 1

Holocaust Memorial Day is a national commemoration day in the United Kingdom dedicated to the remembrance of those who suffered in The Holocaust, under Nazi Persecution, and in subsequent genocides in Cambodia, Rwanda, Bosnia and Darfur.

After the first 2016 HMD Youth Conference held in Glasgow, young people and museum educators began talking about how they could improve the 2017 event, to make the planning and delivery process more youth-led and participatory. They invited us to help them explore how they could use the 7 Golden Rules for Participation as a tool to enable them plan and deliver the next conference in line with the values and principles of participation contained in Article 12 of the UNCRC and its associated General Comment.

26 Smithycroft Secondary School and Holyrood Secondary School pupils, their teachers and Glasgow Life Museum professionals came together at their first joint planning meeting held at St Mungo's Museum, and we delivered training on children's human rights)

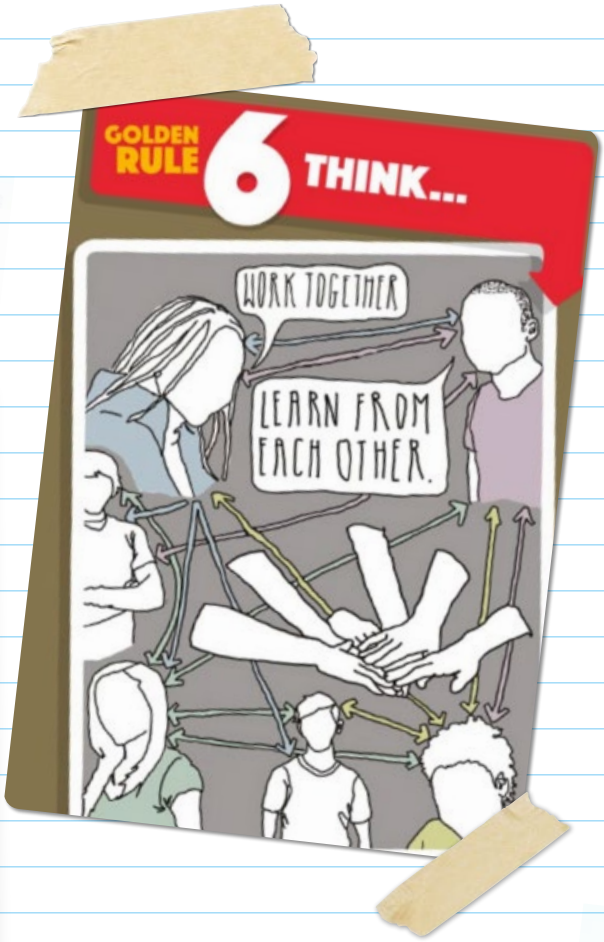
They explored the origins and purpose of the Convention on the Rights of the Child and in particular Article 12 - the right for children to have a voice on matters that are important to them. They further explored the values and principles underpinning the realisation of participation rights in the lives of children here in Scotland and across the world which have been brought to life through our 7 Golden Rules of Participation.





IMPACT

Having undertaken this learning, the HMD Youth Conference 2017 team, with support from the Museums Learning Team and school staff created their Conference and Group Aims and a planning framework. They then delivered a participatory and empowering HMD Youth Conference to P7 pupils from St Bridget's, Avenue-end and St Alberts Primary Schools in January 2017.



February 2017 – the celebration day:

The young people took part in evaluating their experience and the ethos of the project against the conference and event aims that were informed by the 7 Golden Rules.

The overwhelming majority of young people involved agreed that:

- Their ideas were treated with respect
- Adults ideas were treated with respect
- They felt able to do as little or a much as they wanted to
- They developed new skills as a result of taking part
- Their participation felt appreciated and has been celebrated
- They enjoyed collaborating with other adults and young people
- They felt involved in all stages (from initial planning to final de-briefing)
- They got the support they needed to be involved
- They felt like their rights had been upheld during their time together



another example

2

Engagement with Child and Adolescent Mental Health Services (CAMHS)

A young service user member of the Child and Adolescent Faculty, Royal College of Psychiatrists (RCPsych) in Scotland Ella Robertson, visited us in April 2016 to discuss her thoughts on children and young people's rights and how they might better inform and improve the experience of children receiving support from child and adolescent mental health services (CAMHS).

We supported Ella to lead a positive discussion on the 7 Golden Rules of Participation with the Executive Committee of RCPsychiS in August 2016. The Committee agreed to consider ways in which they could inform CAHMS practice.

As a result, the 7 Golden Rules have now been promoted across their networks and a Golden Rules of Participation pilot project has been launched through the Dumfries and Galloway CAMHS team to explore the rules further and the clinical implications they bring.

We also presented a keynote address at RCPsychiS's AGM in December 2016 on children and young people's rights. Ella launched the work being undertaken on the Golden Rules in CAHMS at a national event in January 2017 and will lead a review of progress and learning from the Dumfries and Galloway pilot next year (2017).

"The 7 Golden Rules for Participation were especially interesting to read. They seem to be exactly how each appointment, be it with a psychologist, psychiatrist etc., should be approached and I'm wondering if doing some work to highlighted these to practitioners and bring them to the front of their minds would be useful..." – Ella Robertson



lots of schools are using them too!

Project Profile

Influencing Good Practice







We have visited and delivered presentations, workshops and awareness raising sessions to many children and young people and adults from a wide range of professional sectors in schools, youth clubs, nurseries, colleges, universities, in continuing professional development programmes and conferences across Scotland.

Here's an example...

We worked with Deaf and hard of hearing young people who use BSL, along with youth workers from Deaf Action to explore what they thought about how the BSL (Scotland) Act 2015 could be implemented in local areas.

The full day workshop covered human rights, the additional protections offered to children and young people through the United Nations Convention on the Rights of the Child, duties of adults and the right of children and young people to have their views heard.

IMPACT

The young people and their youth workers developed a series of recommendations for the Scottish Government on what to consider and how best to take forward the implementation of the BSL (Scotland) Act 2015 through local area planning processes.

Equally Safe Participation Partnership

The Commissioner's office worked as an advisor with Edinburgh University, young adults with previous experience as young people from 'Voice Against Violence', Barnardo's, Scottish Women's Aid, Scottish Youth Parliament and Rape Crisis Scotland. Together they designed a national child rights informed framework and programme of engagement to support the participation of children and young people to inform the draft delivery plan for 'Equally Safe - Scotland's strategy for preventing and eradicating violence against women and girls'.

IMPACT

A child and young person co-produced programme is currently being designed and will be launched nationally in the summer of 2017.





Symbols Resource

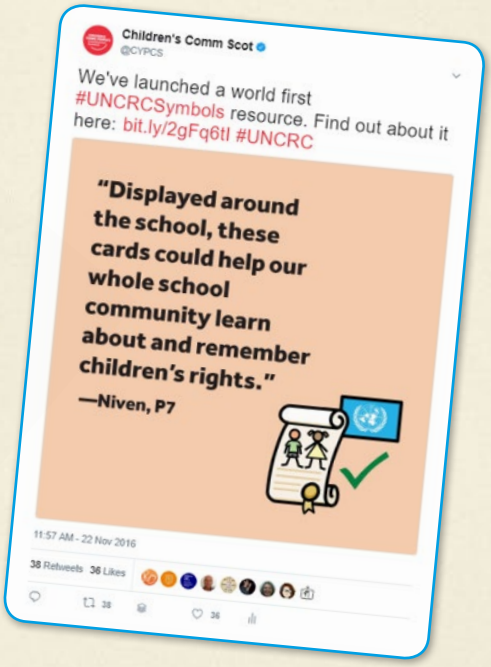
This year we created a United Nations Convention on the Rights of the Child (UNCRC) Symbols resource with the the Children's Commissioner for Wales and the Children's Commissioner for England, and. The symbols are designed to be used as a communication tool for children and young people who are non-verbal, have speech, language or additional support needs. They can also be used to help communicate ideas and information about children's rights to very young children. We worked with children and young people from England, Scotland and Wales, adult practitioners, and Widgit Software to adapt 42 articles of the United Nations Convention on the Rights of the Child (UNCRC) into symbols. This joins a suite of resources we produce to raise awareness and understanding of children's rights.













CORPORATE SERVICES



The Corporate Services team work to ensure the smooth running of the office and ensure that it remains effective, efficient and fit for purpose.



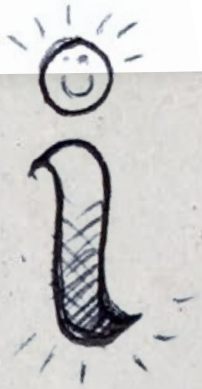
Managing Records

- We are committed to ensuring effective records management as a means of providing evidence of the actions and decision making that underpins our daily functions and duties, helping us to promote and protect the human rights of children and young people. In 2016/17, we:
- managed our records in line with our Information and Records Management Policy, and in accordance with the requirements of the Public Records (Scotland) Act 2011.
- upgraded to the latest version of our electronic document records management system to help us to ensure that we continue to effectively manage the records we create.
- continued the process of reviewing and developing our records retention schedule.
- revised our Guide to Information to take account of the Scottish Information Commissioner's revised approach to the Model Publication Scheme.

Access to information

If you would like to know more about the work of the Commissioner, but can't find the information on our website please contact us.

- The Freedom of Information (Scotland) Act 2002 and the Environmental Information (Scotland) Regulation 2004 gives you a right to ask for and be given the information we hold, unless we can give you a good reason for not providing you with it.
- The Data Protection Act 1998 gives you a right to ask for and be given the personal information we hold about you, unless we can give a good reason for not providing you with it.
- In 2016/17, we received and responded to 10 freedom of information requests. There were no requests for environmental information or personal information.
- Most of the requests sought information in relation to how the Commissioner's office delivers its functions and manages its resources.
- We received one request for an internal review, in response to which we substituted a different decision.
- We responded to all information and review requests within 20 working days. Our average response rate was 13 working days.
- We received a decision notice from the Scottish Information Commissioner. They found that we had partially failed to respond to a request for information and ordered the disclosure of additional information to the applicant, which we fully complied with. The decision notice 110/2016 is published online at: **www.itspublicknowledge.info/**



Corporate Governance

Our office is committed to improving governance on a continuing basis through a process of evaluation and review.

During 2016, work continued on developing a new Employee Handbook, that is due for completion in Summer 2017. The focus of our review for 2017-2018 will be on the following Procurement Framework, Scheme of Delegation and Risk Register to ensure they remain current and fit for purpose.



The Commissioner is defined as a Corporate Parent for the purposes of Part 9 of the Children and Young People (Scotland) Act 2014 and therefore has a responsibility to "understand the lives of Scotland's looked after young people and care leavers". As all staff are responsible for assisting the Commissioner in fulfilling his corporate parenting duties, external consultants undertook in-house interviews to establish current knowledge around these requirements to inform our Corporate Parenting Plan.

The Equality Act 2010 introduced a duty on public sector organisations, including the Commissioner's office, to publish a set of Equality Outcomes and report, at least every two years, on our progress achieving them. We must also publish a report on the progress we have made to mainstream the general and specific public sector equality duties into our work. Over the course of this year we have been producing a final update on the five equality outcomes that were set out in our Action Plan in April 2013, together with an outline of our new equality outcomes. This report to be published in April 2017 builds on the report published in 2015 and provides details on our progress over the last two years in mainstreaming equality, working towards our equality outcomes and meeting our equality duties.



Our office supports the principle of equal opportunities in employment and operating practices. We are committed to pursuing positive action in the organisation's policies and practices to ensure that no individual is discriminated against, either directly or indirectly, unlawfully or unjustifiably because of their personal status in relation to race, ethnic or national origin, religion, age, gender, sexual or marital status or disability.

IT Infrastructure

Our IT Strategy during 2016-17 was to focus on reducing the risk to our IT Environment, whilst striving to enhance our Business Continuity Plan. Our focus for this coming year will be to ensure staff have better access to our IT Systems and applications, without compromising the integrity and security of these systems. Our Business Continuity Plan will be developed to improve the recovery strategy of our IT Environment in the event that we are unable to access our office or experience hardware failure of our servers and office network.

Training

We remain committed to providing staff with relevant training and this year we organised various workshops including child protection and children's rights. Individual staff also attended training In Freedom of Information, Data Protection and BSL awareness. All members of staff completed an online training course on Information Security and Data Protection. The Management Team undertook training in 'Managing Staff Absence".

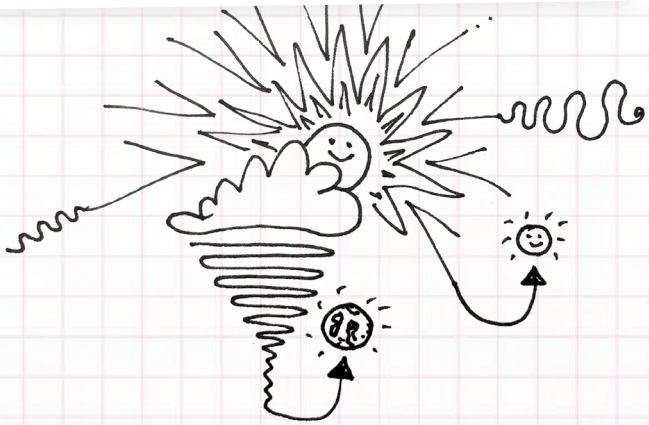
During 2017-18, several staff will be attending Children's Hearings as observers to broaden their knowledge and understanding of the Children's Hearings System. All staff will attend training in Child Protection, Data Protection and Freedom of Information.

Sustainability

The Commissioner recognises that his activities may have both positive and negative impacts in Scotland and further afield. Through his policies and procedures, the Commissioner encourages the use of public transport wherever practicable.

We are fully compliant with Waste (Scotland) Regulations 2012 and have a separate weekly collection service for all our dry recyclable waste. We receive monthly sustainability reports that allows us to measure our progress and identify areas for improvement. During 2016-7 we recycled 1585.6 kgs of waste which was a 45% increase on 2015-16 (1093.10 kgs).

CO2e, or carbon dioxide equivalent, is a standard unit for measuring carbon footprints. This measurement expresses the impact of each different greenhouse gas in terms of the amount of CO2 that would create the same amount of warming. The total kgs of CO2(e) diverted during 2016-17 was 573.67 kgs which was a slight decrease of 7.6% on 2015-16 (620.93 kgs).



COMMUNICATIONS

Rights to Care resource

This year we've worked with Who Cares? Scotland to jointly produce resources to help young people in care, care leavers and the adults who support them.

The resource is a guide to their rights to Continuing Care and Aftercare and we created it after consulting with young people and professionals working with care experienced young people.

They can help with understanding more about the parts of the Children and Young People (Scotland) Act that affect looked after children and care leavers: Continuing Care and Aftercare. We produced this resource after consulting with young people and professionals working with care experienced young people.

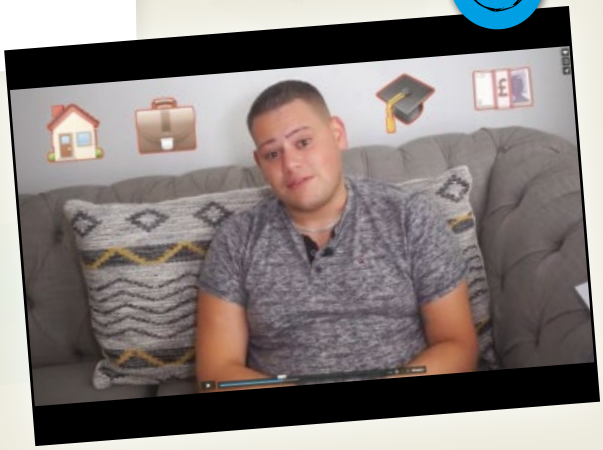
Our resources include:

- a booklet explaining rights to Continuing Care and Aftercare
- a flowchart that can help young people make decisions about their care.

The printed resource is supported by online videos made by young people working with Who Cares? Scotland. We are currently disseminating this resource across Scotland.



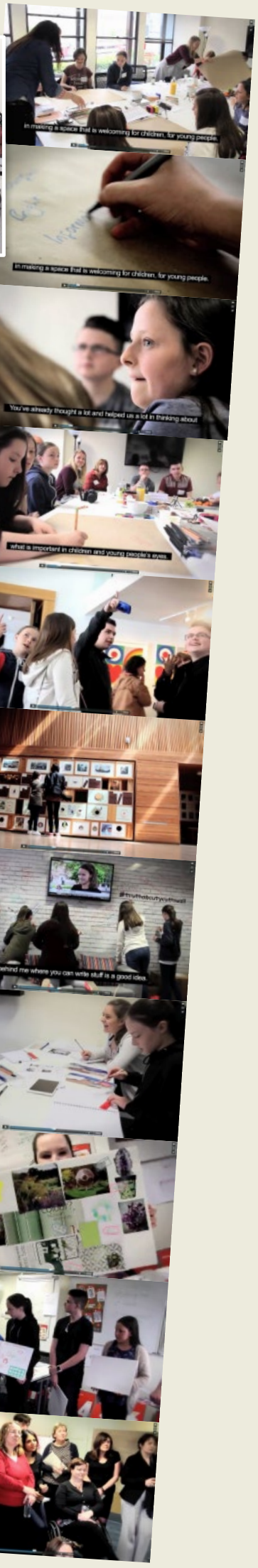












A children and young people-friendly environment

In August 2017, the Commissioner's powers extended to allow the office to take forward issues from individual children and young people based on their 'rights, interests and views'. This year as part of the preparation, we worked with children and young people to try to create a more welcoming and less intimidating office environment for any visiting children, young people and families. Supported by us and Children's Parliament, a group came together from Auchinraith Primary and Calderside Academy to reimagine our office space. They told us we should have more comfortable spaces with more plants, colour and with things for families to do whilst they wait. They suggested that we fill the office with art work from children and young people. They also recommended that we look at ways in which we can educate visitors about children's rights. We made changes based on the recommendations which includes an illustrated children's human rights timeline.

We took on board the recommendation on art work to the next stage and were delighted to work with young people from The Art Room in Edinburgh's WHEC. The Art Room provides therapeutic intervention for young people in the Wester Hailes community, working in small group sessions. We did rights workshops with the groups to get them thinking about their human rights in their own lives. We asked them to think about what it was they wanted to say about rights to the decision-makers and other children and young people who use this main space. The resulting individual art pieces were installed and have provided an immediate starting point for discussions on rights, with children and young people at the centre of those.

Staff Profile

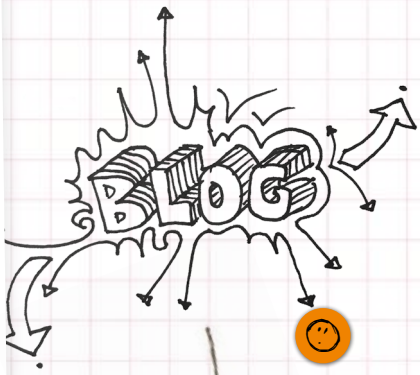


Robert Shepherd, Digital Media Officer

One of the Commissioner's jobs is to promote the rights of under 18s to people throughout Scotland, including children and young people themselves. As Digital Media Officer, I work to do this through engaging with people through online means - whether that involves websites, social media, or anything else that can be found in the increasingly complicated world of the internet.

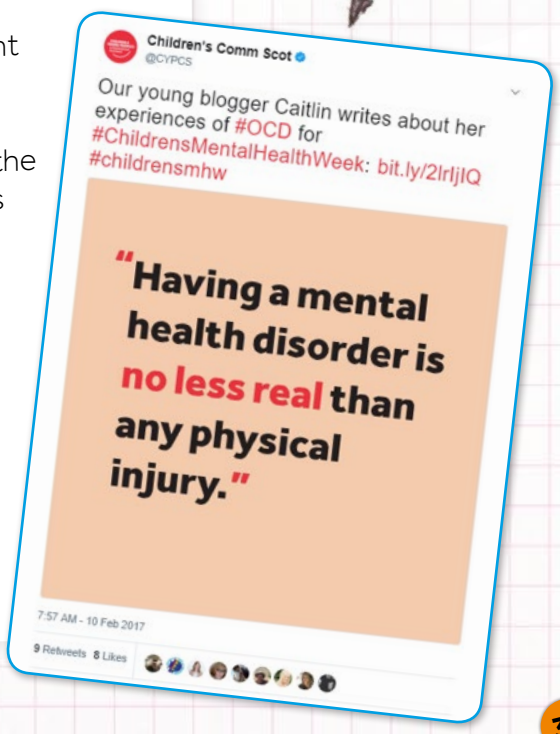
There are a lot of different people who we want to tell about rights, and so in practice my job involves a lot of different things. It can be about making sure people who work to influence the law in Scotland can easily access our views on how new legislation can best respect children's rights, or be about getting complicated concepts around rights into a form that young people with no knowledge of the law will be able to understand.

Over the 2016/17 financial year, I spent some time developing a way to find out about the different people who use our website and why. A lot of people use our site, and the number is increasing: our site user figures increased by 46% in 2016/17 relative to the last financial year. However, we need to know more about who these people are, and which pages on our site are most heavily used by which groups of people. Once analysed, the data we've collected will help us make sure our website can be arranged in a way that's more useful to the individuals who access it— so a teacher, for example, will be able to easily find the various resources teachers usually see.



I also simplified several pages of our site in 2016/17, shortening many of them and replacing text links to downloadable material with big and illustrated buttons. This should make material easier to find on our site, and make the range of resources we offer clearer to people who aren't already aware of them.

Finally, in 2016/17 we took a step towards giving children and young people themselves more control over the digital content we create, as we invited children and young people aged between 10 and 17 to blog for us on a variety of issues that mattered to them. These covered a wide range of themes of the contributors choosing, and featured both articles about rights and those about subjects the writers had a particular interest in. Giving children and young people more direct control over the way we communicate is something both myself and the office are particularly enthusiastic about, and our young bloggers' scheme has given us lots of ideas around how we might do this in the future. We're also always happy to have new people blogging for us, so feel free to get in touch if you're a young person yourself— or if you know one with a keen desire to write about the things that matter to them.



FINANCIAL POSITION

The Scottish Parliament allocated the Commissioner a budget of £1,242,000 for the financial year 2016-17 (2015-16: £1,287,000).

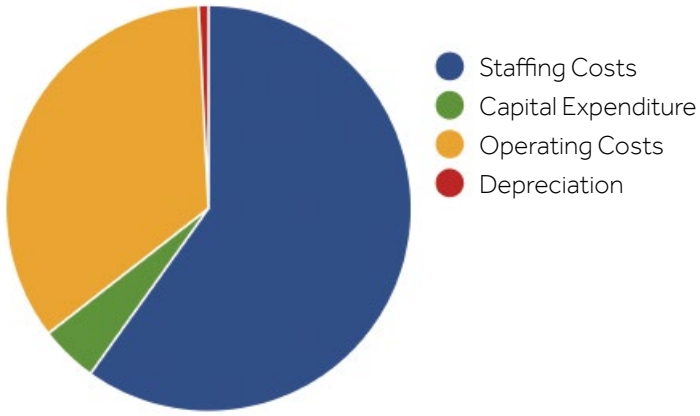
- The Commissioner drew down £1,242,000 (2015-16: £1,286,000 resulting in a £1,000 underspend).

	2017 Budget £'000	2017 Expenditure £'000	Variance £'000	2016
Net operating costs per the accounts	1,242	1,267	25	1,208
Capital additions	0	0	0	58
Total expenditure	**1,242**	**1,267**	**25**	**1,266**
Adjustments				
Non-cash items		(30)	(30)	49
Working Capital (including cash)		5	5	(29)
Cash funding from SPCB	**1,242**	**1,242**	**0**	**1,286**

The annual accounts are prepared on an accruals basis meaning that expenses are recognised in the period in which they were incurred rather than when the cash payment is made. On this basis, the Commissioner's expenditure on operating activities for the year ended 31 March 2017 totalled £1,267,000 (2015-2016: £1,208,000). This was on staffing costs £799,000 (2015-2016: £758,000), other operating expenditure £440,000 (2015-2016: £440,000) and depreciation £28,000 (2015-2016: £10,000). Income for the year was £0 (2015-2016: £0).

£Nil (2015-2016: £42,000) was spent on capital additions during the financial year as detailed in note 6 to the Accounts. Excluding notional expenditure (Depreciation £28,000) total expenditure was £1,239,000.

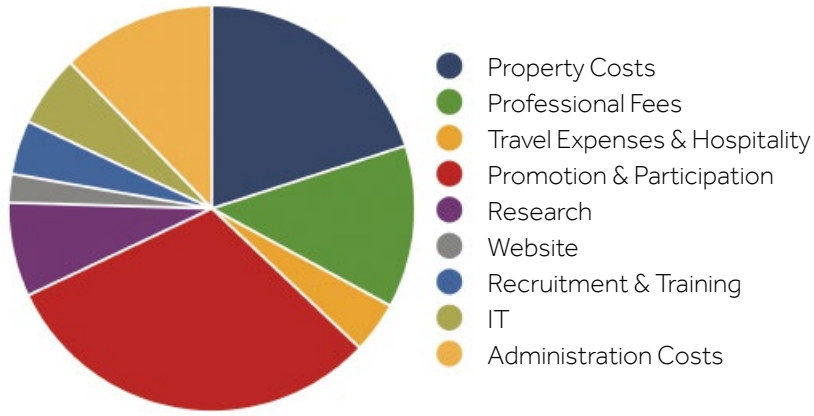
Net Expenditure 2016-17



Source: Children and Young People's Commissioner Scotland Accounts 2016-17

The chart below illustrates the cost of operating activities by category of expenditure. Excluding staffing costs of £799,000 and depreciation of £28,000, other operating expenditure amounted to £440,000, of which Property (26%) includes all rent, rates, energy costs, property insurance, repairs, maintenance and cleaning. Administration (12%) includes all normal office running costs, for example, stationery, postage, telephones, photocopying, printing, equipment maintenance etc. Recruitment and Training (3%) includes costs for advertising and venue hire and investment in both the individual and staff teams. Travel, expenses & hospitality (4%) includes costs incurred both by the Commissioner and the staff team. Promotion and Participation (25%) includes all activities, for example, publicity, promotion and participation, undertaken in fulfilment of the general function of the Commissioner. Research (11%) includes a number of projects related to the strategic aims for 2016-20 as outlined in the Strategic Plan for 2016-20. IT (6%) includes the cost of support and maintenance for the office. Website development and maintenance (3%) includes continued development of the website as a major interactive tool for raising awareness of children's rights. Professional fees (10%) include the costs of payroll support, legal, audit and accountancy.

Operating Activities 2016–17



Source: Children and Young People's Commissioner Scotland Accounts 2016-17

A full copy of the Annual Accounts 2016–17 are available in hard copy on request and are detailed in full on our website.

The accounts are subject to approval by external auditors.

Future plans





The Coming Year

This annual report is a celebration of work before I took office on 18 May 2017, but it also provides an opportunity to set out my plans for the coming year.

As the third Children and Young People's Commissioner in Scotland I would like to thank my predecessors Professor Kathleen Marshall and Tam Baillie for their hard work and commitment to what I believe to be the best job in Scotland. I would also like to thank the staff of the office, all the children and young people, and the adults, who have worked with the office over the last 13 years. I have a strong base to build upon, but there is still a great deal to do. Since taking up office in May, I have been meeting with children and young people across Scotland to find out about their views and experiences. We have a clear framework for how Scotland must improve which is set out in the 2016 UNCRC concluding observations, the 2017 Universal Periodic Review recommendations, and various other international and domestic reports.

There are some issues which require immediate action, where Scotland has fallen below the minimum standard provided in international law, and where not enough has been done to progress children's rights. We need to incorporate the UNCRC into domestic law. Our age of criminal responsibility is the lowest in the world at just eight, it needs to be raised higher than the current Scottish Government proposal of 12. Children in Scotland are not adequately protected from assault by their parents or carers, that needs to change immediately. Other issues such as combatting poverty and its effects on children's rights, and ensuring children are better able to access decision-making and accountability mechanisms are equally urgent, but will require more complex solutions.

Role of Commissioner

In creating the role of the Commissioner in 2003 the Scottish Parliament sought to "make a real difference by creating an independent, high-profile and influential post." The Parliament was meeting an obligation set out by the United Nations[1] which recognized that in order for the international human rights framework to be effective you need independent institutions at a domestic level to ensure implementation of those international obligations. Children are denied the political and financial power of adults, and find it harder

1. Specifically, the Principles relating to the Status of National Institutions (The Paris Principles) adopted by General Assembly resolution 48/134 of 20 December 1993, and UNCRC General Comment No.2 (2002).

to access systems designed to protect their rights – so they need a champion. My role is to bring the weight of international human rights obligations to the places were children and young people live and where decisions are made. My independence from Government and the fact that my office was established by the Scottish Parliament led by a cross party committee, enjoying unanimous support of Parliament, is an important starting point.

As well as providing a bridge between the international human rights system and the delivery of those promises to children and young people in Scotland, my role provides a link between Government and civil society, supporting a space for dialogue between the two. As Commissioner, my role is to bring together different parts of the political and institutional system and society in the best interests of the child, and it is this this bridging role which will be key to my office's effectiveness

Strategic Plan Review

The office laid a Strategic Plan for 2016-2020 in March 2016.

My starting point for the year has been to review the strategic plan. I want to build the views and participation of children and young people into everything we do, so we have spent the first few months of my tenure meeting children and young people from across Scotland to ask what they want from a Commissioner and how they think they could be involved in how I run the office.

The revised Strategic Plan will:

- clearly explain what the job of the Children and Young People's Commissioner is,
- make clear the different types of work that the office will do as a National Human Rights Institution for children and young people, and
- ensure children and young people are at the heart of all of our work.

It will be laid before the Scottish Parliament in early 2018.



Priorities

One of my top priorities will be the full incorporation of the UN Convention on the Rights of the Child (UNCRC) into domestic law. The Children and Young People (Scotland) Act 2014 brought in duties on public bodies to consider children and young people in their work, and to report on their progress in implementing the UNCRC. However, it failed to fully incorporate the UNCRC into domestic law. If children and young people in Scotland are to truly experience their rights, and to have protection when others fail to respect those rights, then incorporation must be a key priority. I am delighted that the Scottish Youth Parliament has chosen rights as their campaign for 2018, that Parliamentary Committees have begun including incorporation in their recommendations, and that the Scottish Government has included consideration of incorporation in its Programme for Government linked to the Year of Young People 2018.

The 2014 Act provides a useful framework which I expect the Scottish Government and public bodies to build upon. Rather than simply reporting on progress, I will be calling for clear action plans, co-designed with children and young people to set out how public bodies plan to deliver on their children's rights obligations.

Over the next year I intend to work closely with the Scottish Parliament to help build its role as a guarantor of the human rights of children and young people. Building on international work, Scotland can lead the way in creating a legislature that truly addresses the democratic deficit children face. Most children can't vote, but they are often disproportionately affected by the decisions that are made by those in power. Therefore, decision makers need to make additional efforts to involve children and young people.

I will also be working closely with partner organisations such as SPSO, regulators, inspectorates, and the judiciary to support their work in ensuring children and young people can access mechanisms for accountability and access to justice.

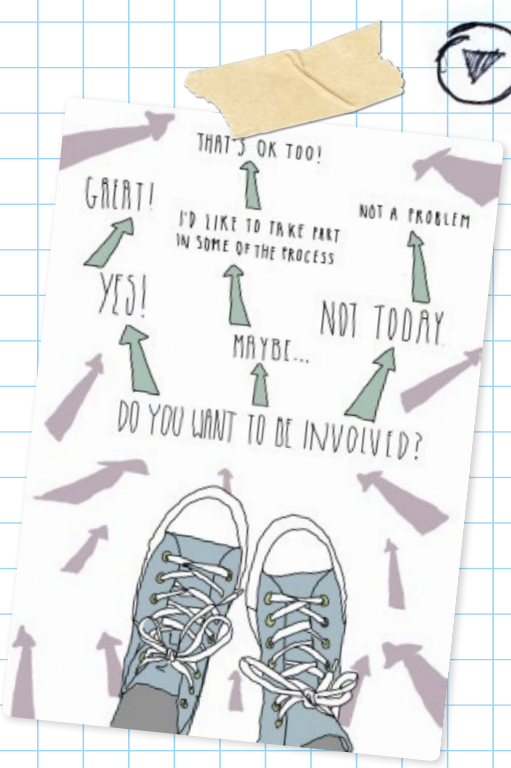
Two areas that I would like to develop further are the role of parents and carers as champions of children's rights, and the economic arguments for taking a child rights based approach.

Powers of Investigation

I will be developing my office's investigation powers, which were recently extended to allow my office to investigate whether service providers have upheld the rights, interests and views of individual children and young people when taking actions or making decisions that affect them. Having this extension of powers is a useful lever for change and by reporting to Parliament, mobilising civil society and raising awareness through the media, where appropriate, we will bring the voices of children directly to decision-makers at all levels to address some of the most complex issues children and young people in Scotland face. Investigations will be based on a clear set of criteria to make sure we are using our powers effectively. We may also be able to address issues in other ways - including carrying out work at policy level, undertaking research, or through strategic litigation.

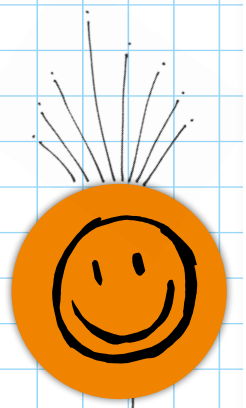
This is going to be an exciting year.

Bruce Adamson
Children & Young People's Commissioner





UNCRC



Happiness, Love and Understanding

There is a broad array of international instruments which set out the human rights of children, but the UNCRC is special. It is the first legally binding international instrument to incorporate their full range of civil, cultural, economic, political, and social rights, as well as aspects of humanitarian law. It starts with the premise that children should grow up in an environment of happiness, love and understanding.

The UNCRC builds on the Charter of the United Nations (1945) which recognised that the inherent dignity and the equal and inalienable rights of all members of the human family are the foundation of freedom, justice, peace and social progress. The UNCRC breathes life into the Universal Declaration of Human Rights (1948) which proclaimed that childhood is entitled to special care and assistance.

The UNCRC is the most rapidly and widely ratified international human rights treaty in history. It changed the way children are viewed and treated in international legal terms. It proclaims children's status as human beings with a distinct set of rights, not just as passive objects of care and charity.

The rights contained in the 54 articles of the UNCRC are universal, interdependent and interrelated. The articles cover all aspects of a child's life and explain how those in power must work together to make sure all children and young people can enjoy all their rights. The rights can be grouped into four categories: Survival, Development, Protection and Participation, as well as a set of Guiding Principles and additional provisions (articles 43 to 54) explaining how governments and international organisations will work to implement the UNCRC.

Us as at March 2017

Commissioner

Tam Baillie

Corporate Services

Stephen Grounds, Head of Corporate Services

Heather Belmonte, Assistant to the Commissioner

Ezmie McCutcheon, Communications Manager

Gillian Munro, Information Officer

Robert Shepherd, Digital Media Officer

Elaine Dee Thomas, Administrative Assistant and Receptionist

Participation and Education

Katie Brown, Head of Participation and Education

Cathy Begley, Participation and Education Officer

Sarah-Louise Davies, Participation and Education Officer

Policy

Máire McCormack, Head of Policy

Megan Farr, Policy Officer

Sheila Hamilton, Research Manager

Linda Ellis Macdonald, Enquiries Officer

Pauline McIntyre, Parliamentary and Policy Officer

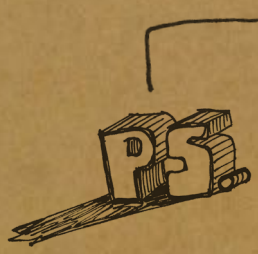
Photos: jassyearl.co.uk
7 Golden Rules Illustrations: wasteofprintproductions.com
Annual report film: mediaeducation.co.uk
BSL presentation: deafaction.org.uk

(CCYP/2017/2) laid before the Scottish Parliament by the Commissioner for Children and Young People in pursuance of Section 10 (1) of the Commissioner for Children and Young People (Scotland) Act 2003 on 26/10/2017

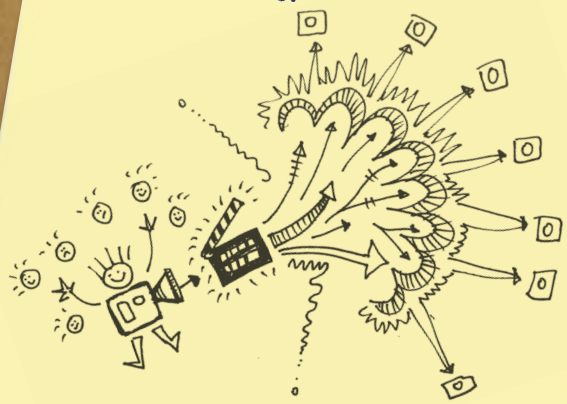


WE WOULD LIKE TO THANK ALL THE CHILDREN AND YOUNG PEOPLE WHO CONTRIBUTED THEIR THOUGHTS, OPINIONS, CREATIVITY AND IDEAS TO OUR WORK THIS YEAR.





We have also made a short film about our year so please check out our website.



CHILDREN & YOUNG PEOPLE'S Commissioner Scotland











Thanks to Nina Oldfield and Callum Stark who helped design this report.

Thanks to Mia Harper, Sol Mclennan, Col McCail and Hannah Stewart for being the voice artists for our short film.

Thanks to Amy Dawson who presented the film in BSL.



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