

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

# Annual Report

## 2022-2023





**This Child Human Rights Defenders tartan was designed by Young Advisors and incorporates the following principles...**

The grey background and black lines represents the challenges of standing up for human rights and reference a Māori proverb used by the Commissioner "He pōkēkē Uenuku i tū ai" which means "Against the dark cloud the rainbow stands out brightly" and symbolises the bravery of human rights defenders.

The colours which stand out brightly as a rainbow against the darkness are:

**Red** – symbolises passion and stopping injustices

**Yellow** – symbolises happiness, positive change & optimism

**Green** – symbolises growth, climate and nature

**Blue** – to represent Scotland, the Council of Europe and the United Nations – the human rights framework

**Purple** – represents youth, energy and the colour of our thistle

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CCYP/2023/02 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 08/08/23.

## FOREWORD FROM YOUNG ADVISORS GROUP

Our Young Advisors guide, influence, and support our work. Here, they share what being part of the group means to them, what issues they have worked on, and what they have enjoyed about working with the Commissioner's office...

**"Spending time with the Commissioner gave me great insight into all the diverse areas the office supports. Attending the Young Advisors Group has really built my confidence and self-esteem. At the meetings, the atmosphere is very welcoming and everyone's views are considered important by every member of the team. I have enjoyed meeting teenagers my age from all over Scotland. Everyone has such a great attitude and enthusiasm for what the group is doing."** Farrell

**"Mental Health is one of the most pressing issues facing young people in Scotland today. So having the chance to be part of this project has been fantastic. I feel like I have had the chance to contribute to a project that will benefit all young people in Scotland and help those when they most need it. It has been a difficult project at times, but one that will have a lasting legacy and that has allowed me to learn loads."** Marcus

**"One important lesson I've learned as a Young Advisor is you do not need to know all the answers, as long as you're talking about the issues facing young people then you are making a difference. This has never been truer than when I got the incredible chance this year to be involved in the ENYA forum in Spain and the ENOC conference in Iceland where young people from lots of different countries came together and we had many insightful discussions regarding the topic of climate justice. There have been many amazing opportunities to be involved within the Commissioner's office from strategic litigation to working with the Poverty and Inequality Commission and even helping in recruitment processes. Being a Young Advisor was one of the best decisions I made."** Sophie

**"I got involved with the Commissioner's office because I was already in the youth politics sector but one passion I have is the UNCRC. I think it's absolutely critical that young people's rights are in law, and are in law now! And through this passion I wound up as a Young Advisor for the Commissioner. It's been amazing, I love the flexibility of the role, it's something I haven't really seen with other organisations. It's also an amazing, supportive team and a great environment to be in. But being in this position also gives you so many opportunities; I've been fortunate to talk to someone in the UN about Scotland's progression in young people's human rights, working on multiple issue groups, interview for staff recruitment, even online international work, and so much more! Being so involved in the Commissioner's work has been a real insight and very enjoyable."** Imaan

**"I wanted to join the group because I thought it sounded like an amazing opportunity that could help me with the rest of my life and I wanted to have a say on issues that affected me and other young people. Since joining, I have been a part of a few videos that were made for Japan and Finland to help them set up their own Children's Commissioner. This was a lot of fun and it helped me really feel like I was doing something for the group and that we as a group could make a difference. I had an interest in children's rights from a younger age after being in a group for my school that was all about UNICEF and children's rights. This interest definitely helped my decision to send in an application. I hope to make a difference through the group. I also hope to gain important knowledge on human rights and the way our government makes decisions."** Blair

**"This year, the office has helped me develop further as an individual. I worked on the Mental Health Investigation, I have worked with another Young Advisor to create and present a video animation that explains what the Strategic Litigation Toolkit is, I made a video to urge the Scottish Government to incorporate the UNCRC into Scots law, and my favourite, I was one of six Young Advisors who interviewed candidates for the role of the next Children's Commissioner. The office has helped me to try new things and these have all been very helpful to me in developing as a person and have helped me to become who I am today."** Lewis

## THE COMMISSIONER

### WHO IS THE COMMISSIONER?

In May 2017, Bruce Adamson was appointed Children and Young People's Commissioner for a six-year term. He is the third Commissioner to have taken up the role since it was established in 2003. This is his final Annual Report before he leaves office.

The Commissioner is someone with authority and powers to promote and protect the human rights of all children and young people in Scotland. That is:

- Everyone under 18, and
- Everyone under 21 who is in care or care experienced

Childhood is special and those in power have additional obligations in relation to children's human rights. Children and young people do not have the same economic or political power as adults, and often struggle to access justice in the same way that adults do, so the Commissioner's role exists to champion their rights. It was created by a law passed by the Scottish Parliament in 2003, in line with principles set out by the United Nations. The Commissioner is wholly independent of the Scottish and UK governments.

This law says that the Commissioner must:

**Make sure that children, young people, and adults know about children's human rights, and make sure they understand them**

**Make suggestions relevant to children's human rights to improve policies, the law, and the way people work**

**Carry out research into children and young people's lives and let adults know when the rights of children and young people are not being respected**

**Make sure that people in power respect, protect, and fulfil children's human rights**

**Find examples of where adults work well with children and young people and share them with others who can learn from this**

**Make sure adults listen to what children and young people have to say when decisions are being made that affect their lives**

# BRUCE ADAMSON'S INTRODUCTION

Being Children and Young People's Commissioner Scotland is the best job in the world, so writing my last annual report is bitter-sweet. I'm hugely proud of the work that we have accomplished over the last year, but it will be hard to say goodbye to this role which it has been such a privilege to hold for the last six years.

I want to take this opportunity to thank the tens of thousands of children and young people I have met over my time as Commissioner, and all the adults who work with them and for them.

This reporting period, from 1 April, 2022, until 31 March, 2023, has been a memorable time: while we have started to emerge from the pandemic, and life started to return to more "normality" for children and young people, many of the impacts of the pandemic will stay with us. Those children whose rights were already most at risk were disproportionately affected by Covid and we must redouble our efforts to address its impacts.

Over the last six years children have been at the heart of our work. When I became the Commissioner in 2017, we radically changed the way that the office did participation. Rather than it being restricted to the specialists in the participation team, involving children and young people became a core value of everything we did. All staff in the office began to work directly with children and young people. It is the best part of our role and I'm delighted that the staff have taken participation to their hearts, and that the office has become recognised globally for our approach to participation. We are now regularly asked to support children's commissioners and partner organisations to help develop their participation programmes.

A big part of that success was creating a group of Young Advisors who could guide and shape us, who would become involved in every aspect of our work from governance and strategy, through to our legal and investigations work, our policy and research, and our communications and engagement. I'm hugely proud of each of the young human rights defenders who have been Young Advisors. Their passion, talent

and expertise have helped achieve huge change in their communities, nationally, across Europe, and globally. This year the current group of Young Advisors continued that tradition with high-level engagement at all levels, and breaking new ground by undertaking their own investigation, which was laid before Parliament recently.

When I came into office, I had three legislative priorities: equal protection, raising the minimum age of criminal responsibility, and incorporation of the United Nations Convention of the Rights of the Child (UNCRC) into Scots law. In 2020, children finally got comprehensive legal protection from physical punishment. In 2021, the minimum age of criminal responsibility was raised from eight to 12. This is still too low, at two years below international standard but at least much-needed reform has begun.

There is still so much more to do. Two years ago, the Scottish Parliament unanimously voted to incorporate the UNCRC, yet children are still waiting. We need the Scottish Government to address the concerns of the Supreme Court, which ruled that amendments were needed to the Bill. Since then, we have had 18 months of prevarication and delay from Scottish Government. The Scottish Government must bring the Bill back as a matter of urgency – and should commit to immediate commencement of the Bill once it is passed so that children's rights are protected as soon as is possible. Anything less than this is a failure of government to protect children's rights.

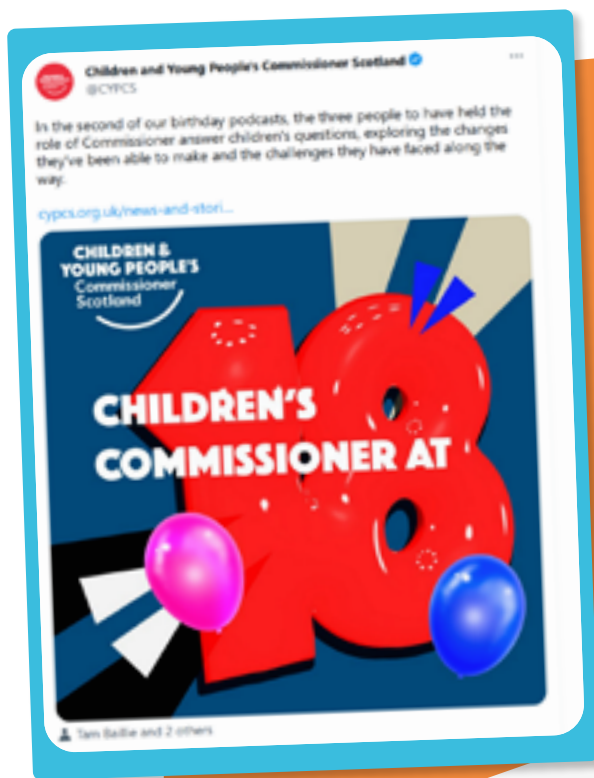
The last year has shown how fragile human rights protections can be. War in Ukraine, the cost-of-living crisis, and UK Government threats to the Human Rights Act show that defending human rights is a constant battle. Our report A Children's Rights Perspective: Repeal of the Human Rights Act aimed to support MSPs and the Scottish Parliament in its role as a human rights guarantor. We have also published our Strategic Litigation toolkit to explain what cases we take on and why.

The cost-of-living crisis has had a dramatic effect on children's rights in Scotland. It has pushed more families into poverty, and more families who were already living in poverty into destitution. But poverty



**BRUCE ADAMSON,  
CHILDREN AND  
YOUNG PEOPLE'S  
COMMISSIONER  
SCOTLAND**





in a country as rich as ours is a political choice. The UK and Scottish governments must do more. Once again, this is why incorporation is crucial. It's the most important thing we can do to tackle poverty. The UNCRC says the State must use all available resources to the maximum extent possible. Children must have an adequate standard of living – a safe warm house, nutritious food, and appropriate clothing, and children must benefit from social security. Children's rights must be at the heart of every policy and budgetary decision. Yet we've seen budgets slashed in areas like youth work and early years provision – areas that we know make a huge difference to lives and opportunities.

There was a chance to reflect on everything the office has achieved over the years when we celebrated our 18th birthday. We've spent an entire childhood promoting and protecting children's rights and children and young people were at the heart of the celebrations. We threw a party at the Scottish Parliament, and our Young Advisors were vital to its success. We visited a nursery and enjoyed birthday cake with toddlers. I came together with my predecessors Professor Kathleen Marshall and Tam Baillie and we recorded a three-part podcast, again led by children and young people.

Since I've been in office, there has been a greater recognition of the importance of young people as child human rights defenders. This year, our Young Advisors worked with kilt-makers Slanj to design a tartan to reflect the leading role children in Scotland are playing as human rights defenders. We

continued to meet young rights defenders as part of our roadshow, both online and in-person, travelling from north to south, east to west, islands and mainland, to hear as many views and experiences as possible.

We challenged those in power as well. Along with the Children's Commissioners from Northern Ireland and Wales, we warned the UK and devolved governments much more needed to be done to help families cope with the cost-of-living crisis. Together, we also reported to the UN's Committee on the Rights



of the Child and outlined government failures to uphold children's rights. My counterparts in Northern Ireland and Wales have also finished their terms this year. Sally Holland and Koulla Yiasouma's enthusiasm, knowledge, and tenacity marked their time as commissioners, and I want to wish them – and their successors – best wishes for the future.

Our international work involved the European Network of Ombudspersons for Children (ENOC), ensuring that children's rights are respected and fulfilled across the continent. This year's theme was climate justice and two Young Advisors played an important role taking part in the European Network of Young Advisors (ENYA).

Scotland has an incredible array of civil society organisations who champion children's rights. As Commissioner, I have had the privilege of working alongside them and witnessed the impact that they have. They are a huge asset to the country and need to be properly resourced and recognised. Scotland has real champions within the public sector who are constantly seeking to improve services for children by taking a rights-based approach.

It has been the greatest privilege of my professional life to be part of the office's incredible work, both internationally and domestically. A hugely important element of that has been working with the Young Advisors, and I know they will continue to fiercely champion children's rights, with the office by their side. I want to thank every Young Advisor who has been involved over the last six years. Handing the Commissioner's baton over is hard but I'm very excited to see Nicola Killean and the team continue their amazing work.

I want to thank all the staff at the Commissioner's office over the last six years – both past and present – who have supported me in the role. Your hard work, commitment, and dedication to uphold children's rights has been invaluable. We have a fantastic multi-disciplinary team and you all have unique skills and strengths which has been key to the success of the office. I could not have done this job without you.

Being Children and Young People's Commissioner is the best job in the world. I have long held dear a child's words to me and I pass them on now to Nicola for the next six years: 'Stand tall. Be brave. Think big. Believe!'



# INVOLVING CHILDREN AND YOUNG PEOPLE

The work of the Commissioner and the office is shaped by children and young people. Participation is a core value of our office – their experiences, opinions, and ideas influence every aspect of our work.

## YOUNG ADVISORS GROUP

Our Young Advisors are aged between 13 and 17, come from different backgrounds and live all over Scotland. We were able to meet in person more often this year but we also met online to ensure that as many people as possible could join in. The group were involved with policy work consultation on a regular basis. They also worked alongside the Commissioner, blogged for our website, and helped recruit new members of staff. They were crucial to our 18<sup>th</sup> birthday celebrations and in designing our new Child Human Rights Defenders Tartan.

We started the reporting year with three separate groups of Young Advisors:

The **Governance Group** helped us make decisions about our work and its direction.

The **ENYA Group** was formed to have links with other young advisors across Europe through ENOC (European Network of Children's Ombudspersons), working on issues of climate justice and strengthening the role of Independent Children's Rights Institutions.

The **Mental Health Investigators** used the Commissioner's legal powers to examine the level of counselling provision in schools. This is the first example we are aware of worldwide where a Children's Commissioner has fully delegated investigation powers to young people. Read more about their work on P42 of this report.

In the autumn, we welcomed some new Young Advisors and said goodbye to others. And as part of this reorganisation, our previous three groups were brought together to create a single group. Their remit remains the same; to influence and guide our work and decision-making.



## EUROPEAN NETWORK OF YOUNG ADVISORS (ENYA)

The Commissioner is a member of the European Network of Ombudspersons for Children (ENOC). It has 44 members who meet every year to discuss issues that affect children's rights across the continent and share good practice.

ENOC supports young people who are passionate about defending children's rights to be young advisors to their work as the [European Network of Young Advisors \(ENYA\)](#). Each year, ENYA influences ENOC's work, providing their own report and recommendations. In 2022, they produced the [ENYA Report and Recommendations on "Let's Talk Young: Let's Talk About Climate Justice."](#)

The young people began work in spring 2022 and the ENYA Forum was held in Bilbao and hosted by the Basque Country. Participants, including our Young Advisors Sophie and Faye, came together through co-operation, workshops and plenaries to produce recommendations for the ENOC conference in September. This was hosted in Reykjavík by Iceland. Young Advisor Sophie attended with the Commissioner to participate and work alongside other children's commissioners.

Sophie joined the Human Rights Defenders Panel Session with young people from Northern Ireland and Malta, the Commissioner, and Professor Laura Lundy. Discussions included mental health, recognition of children as human rights defenders, and stigmatisation by peers for working on children's rights.

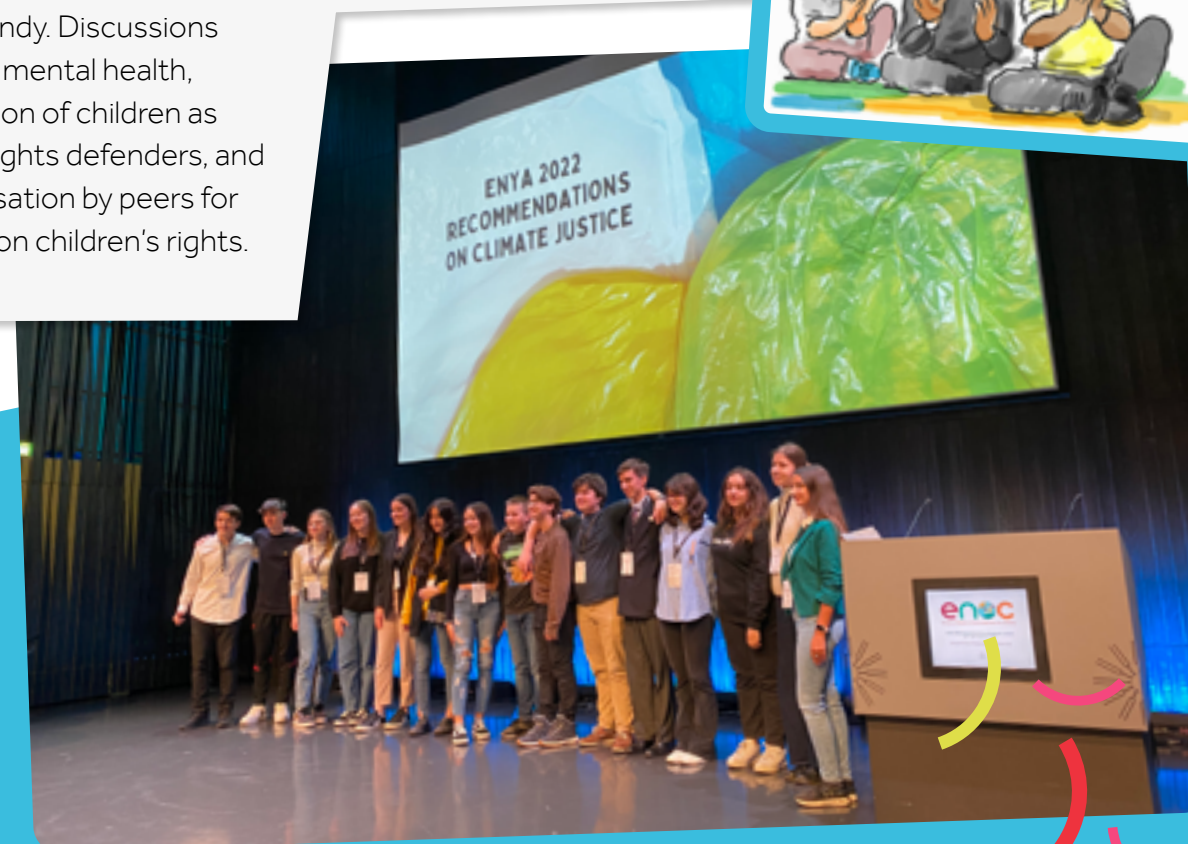
"Imagine if we took adults' rights away – they wouldn't like it."

Young Advisor Sophie at ENOC conference, September 2022



"Attending the Young Advisors Group gives you new skills and ways of thinking. It equips you with ways that help you in all walks of life."

Farrell, Young Advisor



## ROADSHOW

The Covid pandemic limited our face-to-face engagement so when restrictions were lifted we hit the road to meet, in person, many children and young people. This work started in our last reporting year and the team continued it this year.

We worked with young people to make sure their views informed the [Poverty and Inequality Commission's](#) report on the Scottish Government's Tackling Child Poverty Delivery Plan. This was the first time the Commission had involved children in their scrutiny process.

We held three workshops with young people aged between 12 and 17, including one with our Young Advisors. They explored what child poverty meant, their views on work being done to reduce it, and what else needs to be done. One 16-year-old said: "When I think of poverty, I think of inequality...it's not fair and it's not right."

Their views are being developed into a report that will ensure children's voices are at the heart of any advice given to the Scottish Government on its delivery plan.

We held an online session with Children's Health Scotland, a charity that promotes the needs of children and their families during illness. They inform children, parents, and carers of their rights. The children told us about issues and experiences that are important to them – like bullying, support after diagnosis, and better education for healthcare staff and teachers – and what else could help them enjoy their rights.



In March, we met eight male asylum-seekers, aged 15 to 21, with the Scottish Refugee Council. They told us about feeling a lack of control over their futures, how their lack of status can affect their ability to access higher education, and long waiting times for medical treatment like dentistry and mental health support.

The Commissioner was a pupil for a day and our Policy Officer was a learning assistant at Peebles High School. Both attended the Pupil Parliament and saw the school's rights work in action.

In May, we visited the Western Isles and spent five days meeting children and young people across the islands. We visited primary schools and heard about weaving and gardening projects, and we met babies and pre-school children. We met children of all ages in different settings, including up hills, at a sports day, in class, playing bagpipes, and in youth clubs.



## CHILDREN'S HEALTH SCOTLAND VISIT TO LIVERPOOL

We teamed up with Children's Health Scotland to support a young person called Eve to speak at the Royal College of Paediatrics and Child Health (RCPCH) conference.

Around 1,600 paediatricians and child health professionals took part, discussing the latest research, policy updates and innovations in paediatrics and child health. Eve spoke about her experience of being autistic, her experiences with healthcare professionals, and barriers she faces, like only being able to access a few hours of education a week. She also talked about her love for dogs and going to college in September to study animal care. She showed a video where she competed in dog agility with much-loved pups Bear and Odie. The Commissioner spoke to the conference about the human rights framework and rights to health and education.

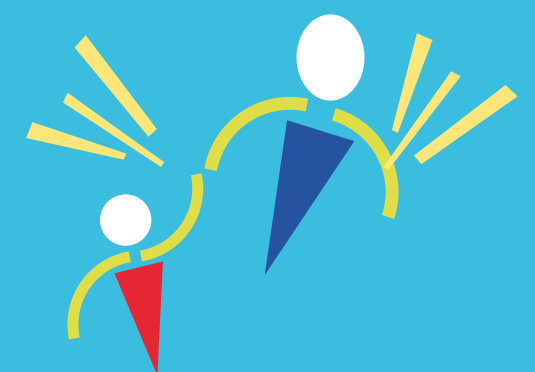


**"To see Eve, an autistic teenager from Scotland, standing on the stage describing what matters to her, alongside the Scottish Children's Commissioner, was unforgettable. Her sheer bravery bowled me over."**  
**Dr Camilla Kingdon, President of the Royal College of Paediatrics and Child Health, in an [article published after the event.](#)**

**"People only see what's on the surface, you always look calm and in control but you have no idea what it's like underneath."**  
**Young carers**

## YOUNG CARERS FESTIVAL

The Commissioner took part in the Scottish Young Carers Festival at Fordell Firs Scout Camp in Dunfermline, Fife, in August. Young carers discussed their experience of the pandemic and how they can be better supported. Young carers play an important role in supporting their families which needs to be recognised and celebrated, but often their own rights and needs are ignored.



**"I have really enjoyed the experience, including the competition itself, and all the fun things that I have done since. I am looking forward to starting work on the badge now at Scouts." Christopher, Scout who designed logo for Rights Challenge Badge**

## RIGHTS CHALLENGE BADGE: SCOUTS SCOTLAND

In May, we officially launched our Rights Challenge Badge with Scouts Scotland for Cubs and Scouts aged eight to 14. We are working to expand the badge to the Squirrels, the youngest members of Scouts Scotland, and Explorers, the older age group. Children have a vital role as human rights defenders and the badge helps Scouts learn about their rights and empowers them to defend their rights. The activities promote adult Scout leaders' awareness of children's rights and helps them embed rights into their practice.

We worked with Scouts at 12th Glasgow (1st Lenzie) who were the first troop in Scotland to have a go at completing their Rights Challenge Badge. We were so impressed with their knowledge, the questions they asked, and their skills. Since then, we have run lots more of these sessions with Scouts and Cubs across the country.

The Commissioner also promoted the badge at the annual Blair Atholl Jamborette in Perthshire, in July. This brilliant biannual event brings Scouts together from all over the world.

In November, we helped Squirrels, who are aged four to six, in Dunfermline with their Exciting Experiments night.



## #SCOTYOUTHANDCOVID: WORK WITH A PLACE IN CHILDHOOD

We have continued to work with [A Place in Childhood \(APiC\)](#), supporting Young Consultants – 11 to 17 year olds from Glasgow, Aberdeen, Edinburgh, rural Falkirk, and rural Stirlingshire – to explore how the pandemic affected children in Scotland, and what they think needs to change as a result of these experiences.

APiC published its report [#ScotYouthandCOVID2: Children and Young People's Participation Through Crisis](#) in July 2021, setting out [34 Asks](#) to the Scottish Government and decision-makers. But the Young Consultants felt that these Asks needed to include the experiences of a wider range of children and young people.

With our support, APiC held workshops with groups of children and young people in spring 2022, including children with Long Covid, young carers, young carers with rural experience of the pandemic, refugee and asylum-seeking children, children of prisoners and primary-aged children.

The Young Consultants gathered all the information from these workshops and refined the Asks into the [Children and Young People's Manifesto](#) with five Big Changes to help young people recover from the pandemic: a "care-full" education system; being really recognised and valued as young citizens; a "care-full" support system; being equipped to deal with an uncertain world; and effective climate and environmental action.

In November, APiC launched a month-long survey to get additional views to help the Young Consultants finalise the Manifesto and tell decision-makers what needs to change.



## ST PATRICK'S PRIMARY SCHOOL WITH PROFESSOR ANN SKELTON

Professor Ann Skelton, a member of the United Nations Committee on the Rights of the Child, and the Commissioner visited St Patrick's Primary School in Kilsyth, North Lanarkshire, in June.

It was a very special visit as although Professor Skelton was born in South Africa, her grandfather, Laurence McDonald, went to the school over 100 years ago. The children had researched Ann's family history, created a song about rights, and prepared a display and presentation. Ann learned about some of her family history, met with children to find out what was important to them and hear about the school's work on children's rights.

Ann spoke about the importance of rights being protected in law, highlighting that her grandfather left school aged 13 to work in the local coal mines. She and the Commissioner met with younger children in the early years centre, played outside with them and spoke with staff about their work.



## #1WORD1WORLD AND CLIMATE JUSTICE

The climate crisis is a children's rights crisis and affects children's lives and rights in many different ways. This year, climate justice has remained one of the office's priority areas.

The UN Committee on the Rights of the Child is creating a [General Comment on Children's Rights and the Environment with a Special Focus on Climate Change \(General Comment No. 26\)](#), authoritative guidance on how children's rights are impacted by the environmental crisis and what governments must do to uphold these rights.

We wanted to gain insight from younger children who are most affected by climate change. We launched #1Word1World, inviting children from across Scotland to share in one word, sound or picture, what the environment means to them. We visited children in Kilsyth, North Lanarkshire, at St Patrick's Family Learning Centre and a P1 class at St Patrick's Primary School. We took part in nature walks, science experiments, and discussions and observations which were used to create our final report and submission to the Committee.



The illustration on the front cover of the report was created using the contributions from the children and has also been [submitted to the Committee](#). Children told us that they were sad, upset and angry about the impact on plants, people, and the environment. Our report emphasises the need for environmental education that includes State and decision-makers' obligations as well as investing in youth-led climate initiatives.

**"Tiny bees",  
"I feel amazing" and  
"I feel a tear coming  
out of my eye when I am  
happy", some comments  
from children on how the  
environment makes  
them feel.**

## CHILD HUMAN RIGHTS DEFENDERS TARTAN

One unique project our Young Advisors worked on this year was designing a tartan to honour Child Human Rights Defenders.

The idea to create a tartan was inspired by children from Scotland attending the 2018 UN Committee on the Rights of the Child Day of General Discussion in kilts and tartan trews. They made a huge impression on delegates and loved the sense of identity, belonging, and recognition that the tartan gave them – the same values they associate with being a child human rights defender. Young Advisors suggested a tartan as a distinctively Scottish way of capturing that identity and reflecting the world-leading role children in this country are playing as human rights defenders.

Our Young Advisors worked with us and kilt-maker Brian Halley, from Slanj, to design the tartan. They chose a grey background to represent the challenges in the world and bright colours to stand out like a rainbow to symbolise the bravery of human rights defenders. Red represented passion and stopping injustices; yellow for happiness and positive change; green for climate and nature; blue for Scotland, the Council of Europe, and the UN; and purple to represent the thistle, youth, and energy.

Our Child Human Rights Defenders tartan was registered with The Scottish Register of Tartans and showcased at our 18th birthday party at the Parliament. A huge thank you to the Young Advisors who were so passionate about its creation, to Brian for all his help and guidance, and to Professor Ann Skelton from the UN Committee on the Rights of the Child, who helped with decision-making.

## RAISING AWARENESS THROUGH THE MEDIA

Our Young Advisors are human rights defenders and an important part of that involves getting their messages, ideas, and commitment to as many people as possible. We support them to do this by providing a young person's view to the media, where possible. We have published blogs on our website from Young Advisors on rights issues that matter to them.

In August, Young Advisor [Farrell blogged about the right to health](#), focusing on his love of exercise and to mark Human Rights Day in December, Young Advisor [Lewis blogged about overcoming his fears](#) to host our 18th birthday celebrations at the Scottish Parliament.

We launched our Rights Challenge Badge with Scouts Scotland in May. Scout Christopher, ten, from Lenzie, East Dunbartonshire, designed the winning logo for the badge, and [explained the inspiration behind the design](#) in our media release.

Young Advisors joined counterparts from Northern Ireland and Wales to voice their experiences and views in an animation to mark our report on children's rights to the UN Committee on the Rights of the Child. The video was shared on our social media.

When we launched Listen, Engage, Have Fun – our new guide on involving children in decision-making – [our blog](#) included the views of a Member of the Children's Parliament who was involved in the guide's creation.



# INCORPORATION OF THE UNITED NATIONS CONVENTION ON THE RIGHTS OF THE CHILD

**"It has never been more pressing to ensure that children's rights are granted stronger protection in law. How much longer do children have to wait for the Scottish Government to make their rights real?"**

**Bruce Adamson,  
Children and  
Young People's  
Commissioner  
Scotland**

## INCORPORATION OF THE UNCRC

After decades of campaigning, led by children and young people, the Scottish Parliament unanimously passed the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Bill in March 2021. However, that Bill is not yet law. Following a referral by the UK Government, the Supreme Court ruled that four sections were outwith the competence of the Scottish Parliament. The Bill therefore requires reconsideration by the Scottish Parliament.

More than 18 months after the Supreme Court judgment, the Scottish Government is yet to bring forward the required amendments, despite [repeated calls](#) from the Commissioner, children and young people, MSPs, and children's rights organisations.

It has never been more pressing to ensure children's rights are granted stronger protection. Children cannot wait any longer for their rights to be protected



in law, nor for the culture change needed to make their rights real. When MSPs passed the Bill, they made a promise to children that their rights would become law. MSPs must ensure this promise is kept. Addressing the Supreme Court's concerns is the most important thing the Scottish Government and Scottish Parliament can do to uphold children's rights.

Over two years after the UNCRC Incorporation Bill was passed, we are deeply frustrated with the prevarication and delay from Scottish Government and continue to urge it to bring the Bill back to Parliament. Once passed, the Bill allows for the Scottish Government to bring the Bill into force immediately, or to delay further, for up to six months. We have consistently called for the Scottish Government to commit to immediate commencement. There is no reasonable argument for further delay of a Bill that should already have been in force for nearly two years. Every day of delay is a day when children do not have their rights protected in law.



## INCORPORATION: WHY IT MATTERS

Incorporation of the [UNCRC](#) puts children's rights into the heart of everything we do. It takes the international promises we've signed up to and gives them real force in Scotland.

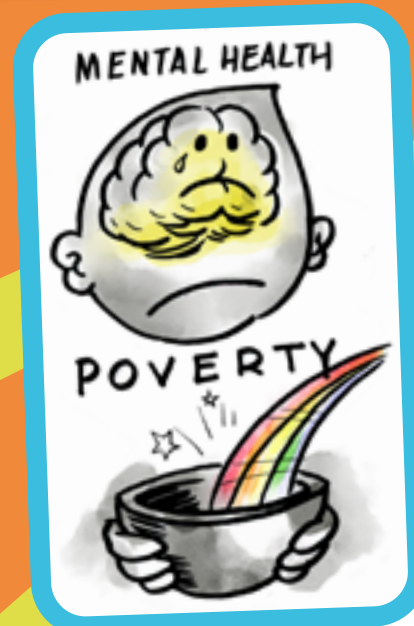
It is the most important thing Scotland can do to ensure that children's rights are respected, protected, and fulfilled in Scotland. The UNCRC requires that we use all available resources to the maximum extent possible to ensure children's rights. That means putting rights in law.

We know that rights-based budgeting and supporting relationships around families, like community and early years practitioners, youth work, and school-based supports, make an enormous difference in children's lives. Rights in law helps ensure that actually happens. Incorporation will make it unlawful for public authorities to act incompatibly with the incorporated UNCRC requirements.



# OUR YEAR IN REVIEW

Here, we highlight the activities and achievements of our office over the last year.



## POVERTY: OUR CALLS TO THE SCOTTISH GOVERNMENT

Poverty is the most significant human rights issue facing children and young people in Scotland today. It affects all aspects of children's lives, negatively impacting their health, education, family, relationships and aspirations. The effects can last long after childhood and into their adult lives. A decade-long increase in child poverty combined with the ongoing impact of the pandemic and the cost-of-living crisis threatens to push more families into poverty.

Poverty is not inevitable. It is a political choice and a consequence of decisions made by the UK and Scottish governments. The most important thing the Scottish Government could do to address child poverty is incorporating the UNCRC into domestic law.

This year, the Commissioner has called on the Scottish Government to [roll out free school meals to all pupils](#). In September, he responded to the Auditor General for Scotland Accounts Commission briefing report by insisting on [long-term solutions to prevent poverty](#).

The Commissioner joined human rights organisations, community groups,

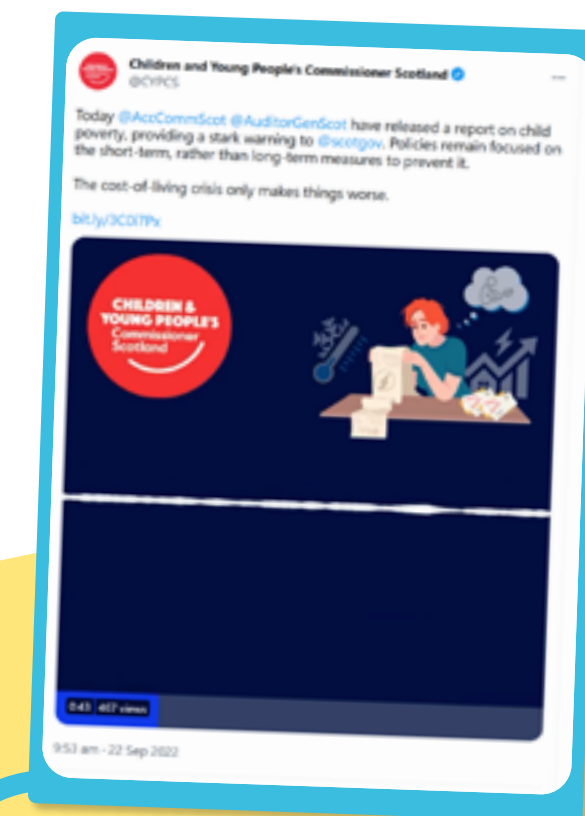
academics, trade unions, and faith groups to write to the Scottish Government, requesting that [child bridging payments](#) are doubled to mitigate the damaging impact of the cost-of-living crisis.

In November, the office welcomed the Scottish Child Payment increase to £25 a week, and the extension to children aged six to 15. Children have the right to benefit from social security and the Scottish and UK governments must use all available resources to the maximum extent possible to fulfil rights.

## POVERTY: OUR WORK WITH CHILDREN'S COMMISSIONERS FROM NORTHERN IRELAND AND WALES

Decisions made by the UK Government affect children's rights in Scotland. The three Commissioners' role is to promote and protect children's rights in their respective nations. In September, the Commissioners [jointly responded to the UK Government's mini-Budget](#) demanding changes including increasing the Universal Credit rate, scrapping the benefits cap, and removing the two-child limit on receiving payments.

The following week, they called on the UK and devolved governments to [tackle the cost-of-living crisis](#) by increasing the income of families in poverty, reforming social security, reducing costs to families, targeting support to families in vulnerable situations, and ensuring affordable childcare.



## POVERTY: FUEL POVERTY AND PRE-PAYMENT METERS

More families are living in fuel poverty – unable to keep their houses warm or use essential appliances – because of the cost-of-living crisis and rising energy prices. We have highlighted this and raised concerns over the forced installation of pre-payment meters.

Fuel poverty can directly impact children's right to an adequate standard of living, including having a warm home and hot, nutritious food. It also impacts their rights to life, to good physical and mental health, and to education, socialisation and play. Disabled children who rely on electrical medical equipment are at particular risk if their family is in fuel poverty.

In August, the Commissioner wrote to Ofgem to [question its decision to raise the energy price cap](#) without considering the impact on children in Scotland. When the UK Government subsequently announced its Energy Price Guarantee, the Commissioner turned to the urgent need to address the children's rights breaches caused by the forced installation of pre-payment meters.

We were increasingly concerned that families who were already struggling were at risk of having a pre-payment meter forcibly installed – effectively amounting to disconnection when they can't afford to pay their bills.

In November, the Commissioner urged Ofgem to [ban energy companies from all compulsory installations of pre-payment meters](#) because of the increased



**"Essentially energy companies have had their ball taken away from them because they kept kicking it through people's windows."**  
**"The UK Government's response has been to say, 'Now, you do remember that you are not allowed to kick balls through people's windows, don't you?' and that is just not adequate."**  
**Bruce Adamson, Children and Young People's Commissioner Scotland**



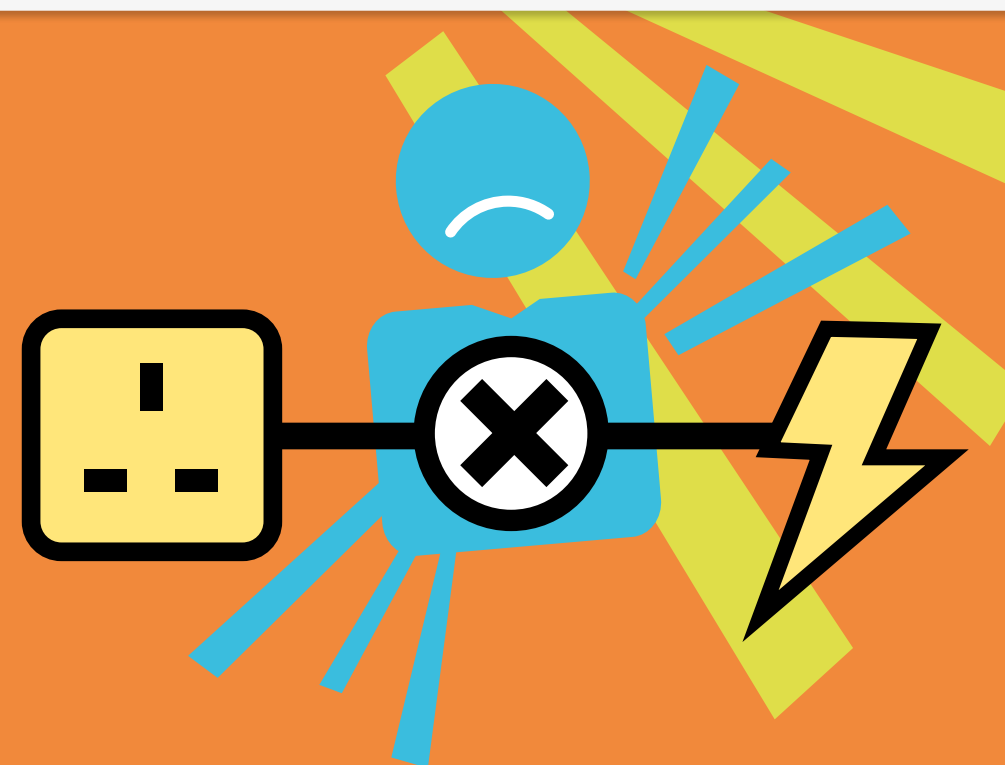
risks to children's right to life, health and development, and concerns that energy companies are still failing to properly identify vulnerable customers.

In February, the Commissioner [wrote to Graham Stuart MP, Minister for Energy and Climate](#), expressing concerns that energy companies were being allowed to breach their licence conditions with impunity and reminding him that the UK Government has a duty to prevent, investigate, punish and redress rights violations committed by private companies.

Soon afterwards, Ofgem [asked energy suppliers to suspend forced installations of pre-payment meters](#), to consider whether any needed to be reversed and to offer compensation where the strict rules on forced or remotely switched installations had not been followed.

This suspension has now been extended indefinitely, which is welcome, but nevertheless it remains hugely disappointing that many suppliers seem unwilling to remedy their failures in the meantime.

Children should have the right to protection from energy disconnection. The UK Government must not allow energy companies to keep falling short on their legal obligation and should use all of the powers and levers at its disposal to protect children's rights.



## EDUCATION

We have continued to engage with the Scottish Government on a number of issues in education, including the reviews of national qualifications and the SQA and Education Scotland. We also responded to a parliamentary petition on extending free school meals to all children – highlighting that providing free school meals in secondary schools is complex and that it is vital that children are involved in any decisions to implement this.

In October, we worked with our Young Advisors to respond to the Scottish Government's consultation on whether to introduce statutory guidance on school uniform. Our Young Advisors were frustrated that many uniform policies, particularly in secondary schools, were "super restrictive" and allowed "no freedom" and they knew of children being sent home or placed on internal exclusion for not wearing correct uniform. They explained that it makes it easier to learn when uniforms are flexible and comfortable. We highlighted the disproportionate impact that strict uniforms have on disabled children. In our [consultation response](#), we pointed out that there is no legal power to compel

children to wear uniform and that children should not be denied an education for failing to wear correct uniform.

In March, we facilitated a meeting between two unaccompanied asylum-seeking children and Scottish Government officials looking at the rules around access to education funding. We and the Scottish Refugee Council supported the boys to argue that refugee and asylum-seeking children should get the same rights to financial support as their peers. We are waiting on the government's response.

**Our Young Advisors reported that uniform rules were not always consistently applied. Girls reported that they felt they were subject to more rules than boys – with checks on shoe heel height and skirt length. One reported that girls were not allowed to wear sleeveless tops in PE, but boys were. They also felt it was unfair that boys are not allowed to wear shorts in hot weather.**

"Free school meals for everyone in education reduces stigma and helps reinforce the understanding of food as a human right, not an act of charity."

Bruce Adamson  
Children and Young People's Commissioner Scotland



## HUMAN RIGHTS ACT

Human rights protections are in grave danger of being eroded. The Covid-19 pandemic and the cost-of-living crisis both disproportionately affected children, particularly those whose rights were already most at risk. Our report, [A Children's Rights Perspective: Repeal Of The Human Rights Act](#), explains how the Human Rights Act and its provisions help protect children's rights in Scotland. It illustrates the impact the Human Rights Act, and the European Convention on Human Rights that it incorporates, has had on the development of children's rights. The report includes analysis of how UK Government proposals to reform the Human Rights Act would undermine children's rights protections in Scotland.

The Scottish Parliament is a human rights guarantor to ensure children's rights are protected, respected, and fulfilled. Our report supports the Scottish Parliament in that role.

## STRATEGIC LITIGATION

Strategic litigation is where the office is involved in legal cases that try to bring legal or social change so children can enjoy all their rights. Since 2017, it has been an important part of the office's work. This year, we developed a new guide, the [Strategic Litigation Toolkit](#), explaining how we make decisions and engage in strategic litigation. When the UNCRC is incorporated into Scots law, the Commissioner will have more power – including the power to start legal cases ourselves – so our strategic litigation work will increase.

Young Advisors Ibukun, Lewis, and Sophie and other experts at Advancing Child Rights Strategic Litigation, University of Nottingham Human Rights Law Centre, Impact Law for Social Justice, and Economic and Social Research Council, helped us create the resource. It defines the Commissioner's powers, sets out how we involve children and young people in strategic litigation, and shows how we choose cases to become involved in.

The toolkit was officially launched in March at a webinar with human rights experts.



**"The office has come up with a guide to what strategic litigation means in their work to help everyone understand it better. You'll be able to see clearly the tools the team use, and what questions they ask themselves to help make difficult decisions about which cases they can be involved in."**  
Young Advisor Sophie

**"It's an important part of how they should be answerable about the work they do to promote and protect our rights."**  
Young Advisor Lewis

## YOUTH FOOTBALL

We have continued our work on youth football. Football clubs must operate in line with children's human rights and this should be enforced through legislation if necessary. In November, the SFA announced their reforms to restrict the use of 30-month registrations for child footballers. These reforms were long awaited but hugely disappointing as they do not fully implement the strong recommendations from the Scottish Parliament's Petitions Committee in 2020. From season 23/24, clubs will no longer be able to command fees or training compensation for promising young players unless they sign professional forms at another senior club. Compensation will be payable if a player signs for another club when they turn 16. However, these reforms do not fully protect the rights of all players as children those in the 'elite' tier can still be placed on a 30-month registration. They will be tied to a contract heavily weighted in the interests of the club, and which allows them to be sold outside Scotland when they turn 16. Once again, clubs' interests will be put ahead of children's human rights.

Our long-running work on this issue will continue until there is an end to the commercial exploitation of children and the informal but highly-lucrative transfer market in child footballers.



## FIGHTING FOR SUITABLE ACCOMMODATION FOR ASYLUM-SEEKING MOTHERS AND BABIES

In May, mothers and babies seeking asylum in Scotland were moved from cramped and unsafe housing – weeks after our office and campaigners demanded that they were urgently relocated.

We published [Accommodation of Asylum-Seeking Mothers and Babies](#) in the last reporting year, which found women and their children were living in conditions that posed a significant risk of violating their human rights. Despite assurances from provider Mears Group in November 2021 that the families would be moved, there were still 12 mums and their babies in the unit in Glasgow's southside at the end of March 2022.

By May, they had all been relocated to more suitable housing.

In October, we called on housing provider Mears Group and Glasgow City Council to stop housing asylum-seekers who are pregnant or new mothers in hotels. Charities, including Positive Action in Housing, MORE



and the Scottish Refugee Council, had raised concerns that the women and their children were being housed in totally unsuitable accommodation in a guest house, with inadequate room and facilities. We visited the mothers and children in October.

We were gravely concerned: human rights are universal and apply to all children, regardless of immigration status. Hotel, guest house, and bed-and-breakfast accommodation is completely unsuitable for children and families and should only be used on a short-term basis in an emergency.

We demanded that these families were moved out of this precarious, vulnerable situation and into suitable accommodation as failure to do so would violate the children's human rights. We met Mears to raise our concern and intend to visit the guest house again.

## CRIMINAL JUSTICE COMMITTEE: ONLINE CHILD ABUSE, GROOMING AND EXPLOITATION

Gina Wilson, our Head of Strategy, took part in a roundtable on online child abuse, grooming, and exploitation. It included representatives from the National Crime Agency, Police Scotland, Social Work Scotland, NSPCC Scotland and Stop It Now! Scotland.

The session focused on the measures being taken, and those necessary, to tackle online child sexual abuse, grooming, and exploitation. Gina highlighted that rights affected (such as to be protected from harm, to non-discrimination, to life, to be heard, and to have best interests prioritised) apply equally online and offline.

The scale and extent of this type of crime is unknown but we are aware of a rise in 'self-generated' sexual material created by children. The response to this must not be to criminalise children, nor can it be law enforcement alone, there needs to be a focus on education, prevention and support.

Social media companies must do more to protect children online – there needs to be a comprehensive duty of care and legal responsibility for website hosts and social media platforms. The current legislative framework does not adequately protect children and young people from exposure to harmful or age-inappropriate material, exposure to unsolicited adult contact, cyberbullying, or data harvesting.



**"Adults have a lot of opinions about how the online world affects young people's lives. But so do young people themselves, and it's vital that they get their say."**  
Young Advisors, ENYA

## NATIONALITY & BORDERS BILL

Our office remains concerned about the impact of the Nationality and Borders Act 2022. In particular, the Act's provisions effectively create a two-tier system for refugees, further limiting the availability of safe and legal routes for children to apply for asylum. This would be made worse by the UK Government's proposals in the Illegal Migration Bill, published in March 2023. The Act also made provision for the use of 'scientific methods' as a routine age assessment procedure. The Home Office's Age Estimation Science Advisory Committee has subsequently recommended that x-rays and MRIs can be used in some circumstances to assess the age of child refugees, despite recognising that they are inaccurate and potentially harmful. Our office has repeatedly stated that the use of invasive



and medically [unnecessary techniques for age assessment would breach children's rights](#) and would not be consistent with professional and scientific ethics. We continue to work with stakeholders to urge Scottish local authorities to continue with their own Merton-compliant age assessment and to refuse wherever possible to accept the use of 'scientific methods'.



## CHILD VICTIMS OF HUMAN TRAFFICKING

We continued to raise concerns about the rights of children who had been victims of trafficking. They are entitled to protection and support, yet some have suffered serious violations of their human rights. We are aware of child trafficking victims having been arrested, charged and detained in Polmont YOI – no child should be in prison, least of all those who have been criminally exploited.

Last year, our office and others raised a number of cases with the Scottish Government of trafficked children being prosecuted in the adult justice system and sent to prison. While some progress has been made, this remains an area of serious concern. As the UN Special Rapporteur on Trafficking in Persons has made clear, Scotland must ensure that child victims of trafficking are not detained, charged or prosecuted for offences committed in the course of, or as a result of, having been trafficked.

The Scottish Government must ensure that legal and procedural safeguards around the criminal justice system are sufficient to ensure compliance with international law requirements and that appropriate places of safety are available to meet the needs of vulnerable children, where they can be provided with care, protection and help to recover from trauma. This must include the type of care best suited to the child's needs and designed to protect their physical and mental integrity and wellbeing. We have engaged with the police and the Crown Office and Procurator Fiscal Service to try to find solutions.

## CROSS-BORDER PLACEMENTS

We remain concerned that the practice of placing children from England and Wales on Deprivation of Liberty Orders in Scottish residential care settings creates a "second class" of looked after children in care in Scotland, who are not subject to the full oversight, support, and human rights protections of the Scottish statutory systems.

In May, our office gave evidence to the Education, Children and Young People Committee on Scottish Government Regulations intended to regulate cross-border placements, setting out our concerns that the Regulations did not adequately provide sufficient safeguards for children subject to cross-border placements. In October, our office met with judges from the High Court in England to discuss our concerns. We continue to work alongside legal stakeholders from Scotland, England and Wales to call for additional safeguards and protections for children subject to cross-border placements in Scotland. Since the Regulations came into force in July 2022, we have seen the rate of children placed in Scotland on these orders double.



## MINIMUM AGE OF CRIMINAL RESPONSIBILITY

The minimum age of criminal responsibility was increased from eight to 12 in December 2021.

In last year's report we were very clear that this increase is not good enough. It is still two years below the minimum international standard of 14 as set out by the UN and the Council of Europe. We remain deeply concerned about the impact of this low age, and the Commissioner has continued to call for an increase and has taken every available opportunity to raise this issue.



## CHILD PROTECTION

In February, we submitted a paper to the Scottish Government setting out amendments we believe need to be made to the National Child Protection Guidance, ahead of a more detailed review in 2024. We identified a number of areas of concern including; restraint and seclusion, child sexual exploitation (particularly in residential care) and treatment of unaccompanied asylum-seeking children. We proposed a number of practical changes to the guidance aimed at addressing matters of culture, scope and accountability. We reiterated some of these points in evidence to the Scottish Parliament's Citizen Participation and Public Petitions Committee. Our concerns are based on individual cases we have seen, and on issues raised with us by civil society and other partners. It is an area we will continue to work on.

## CARE AND JUSTICE BILL

In June, our office [responded](#) to the Scottish Government's Children's Care and Justice Bill consultation. The consultation included wide-ranging proposals relating to children's involvement in the criminal justice system, the children's hearings system, secure care, cross-border placements, restraint and seclusion in care settings, and the age of criminal responsibility. We engaged with our Young Advisors to inform parts of our response to the Scottish Government. [A Bill](#) has now been introduced in the Scottish Parliament and our office will continue to give evidence on the Bill's proposals during the legislative scrutiny stage.



## NATIONAL CARE SERVICE

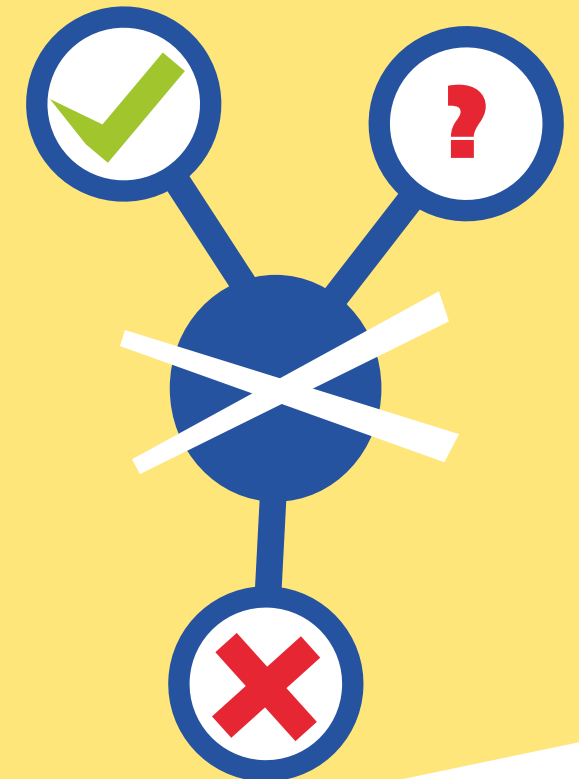
In November, Policy Officer Cameron-Wong McDermott gave evidence on the Scottish Government's National Care Service (Scotland) Bill to the Scottish Parliament's Education, Children and Young People Committee. [The Bill](#) would give powers to the Scottish Government to incorporate a broad range of children's services into a National Care Service through secondary legislation. Our office emphasised the need to take a human rights-based approach to any proposals, with children's best interests at heart and safeguarding the right to meaningful participation in the context of planning, delivering and evaluating services. We highlighted concerns echoed by other stakeholders that proceeding by delegated legislation or regulations would not give the level of full legislative scrutiny that is required to take a human rights-based approach.

## HUMAN RIGHTS LLM PLACEMENT

We were delighted to offer student Sophie Taylor a placement with us as part of her Human Rights LLM study with the University of Edinburgh. Sophie produced an analysis of Scotland's compliance with the UN Convention on the Rights of the Child for the office: 'A place to call home: Mitigating Child Poverty Through the Human Right to Adequate Housing'.

## INQUIRY INTO GOVERNMENT DECISION-MAKING

In February, our office [responded](#) to the Scottish Parliament's Finance and Public Administration Committee's inquiry into effective Scottish Government decision-making. Our response drew upon the experience of our office in engaging with Scottish Government decision-making at all levels, from Ministerial priority setting through to civil service directorates delivering individual projects. It also included contributions from our Young Advisors, who met to discuss the Inquiry and shared their views.



## COVID-19 INQUIRIES

An independent [public inquiry](#), chaired by Baroness Heather Hallett, has been set up to examine the UK's response to and the impact of the Covid-19 pandemic, and to learn lessons for the future. The [Scottish Covid-19 Inquiry](#) is investigating the devolved response to the pandemic. It aims to establish the facts, identify lessons for the future, and make recommendations to Scottish Ministers. Both inquiries have requested evidence from the office and work has been progressing on this.



**"Here's the music wall. You can make lots of noise here."**

Emma, age four



## 18TH BIRTHDAY CELEBRATIONS

This year we marked the office's 18th birthday – we've been fighting for children's rights since 2004, the equivalent of an entire childhood. The Commissioner and team started the celebrations at First Adventures Nursery in Linlithgow, West Lothian, where we played games with toddlers and were given a tour by pre-school children. They sang Happy Birthday and we all enjoyed cake together.

The party carried on at the Scottish Parliament, where children and young people were naturally at the heart of the celebrations. Two Young Advisors, Lewis and Paige, hosted the evening with Presiding Officer Alison Johnstone MSP, and other Young Advisors helped discuss

their human rights work with guests. The Commissioner, and his predecessors Professor Kathleen Marshall and Tam Baillie, were joined by children, young people, MSPs and representatives of some of the organisations we have worked closely with over the years.

Illustrator Rikki Marr, from Hawk and Mouse, created a living piece of art on the night, telling the story of the office and children's rights over the past 18 years. The Young Advisors worked on this with the team and Rikki, and encouraged guests to be a part of it.



**"We've created an event tonight where you can visit different areas and meet some of the children and other young people working with us. You can also see some of the office's work over the 18 years. Other Young Advisors are here tonight too – shout out to Rennie, Marcus, Sophie and Chloe!"**

**"You can meet young people from Big Noise, who have created a piece of music especially for our birthday so please go chat and find out more."**

**"We've been working with Scouts Scotland on something super special that you can get an exclusive first sneak peek of....so go for a nosy and make your own shield!"**

**Paige, Young Advisor who co-hosted 18th birthday party at Scottish Parliament**



Turning 18 was not just an excuse to celebrate, we also reflected on what we have achieved, the challenges we have faced, and what still needs to be done to uphold children's rights in Scotland.

Our three Commissioners recorded a three-part podcast covering all these issues. Again, children and young people were at the heart of this with young children and teenagers submitting questions. Young people from Sistema Big Noise created the music for the podcasts and Young Advisor John joined us in the recording studio to help produce them.

The Commissioner also reflected on the office's journey over the last 18 years in a piece for The Sunday Post, and another piece for Insight magazine, which highlighted the ultimate goal of UNCRC incorporation into Scots law.

## LISTEN, ENGAGE, HAVE FUN: NEW GUIDE TO INCLUDING CHILDREN IN IMPACT ASSESSMENTS

UNCRC incorporation into Scots law will bring legal, social, cultural and practical change. Children's rights will be at the heart of public authority decision-making. Using child rights impact assessments (CRIA) and child rights impact evaluations (CRIE) will do just that.

However, we know this may be daunting so we created a new guide – [Listen, Engage, Have Fun](#) – to help leaders, policy-makers, and practitioners involve children in CRIA and CRIE. We worked with [Children's Parliament, Together \(Scottish Alliance for Children's Rights\)](#) and the [Observatory of Children's Human Rights in Scotland](#) to create the user-friendly guide.

Children's Parliament supported 100 pupils, aged eight to 13, from three primary schools and one secondary school in East Lothian to take part. They shared their views and experiences through six weekly sessions. We owe them a big thank you for their commitment to this project.

The guide offers practical suggestions about how to engage children in CRIA with templates, tips, and example activities. They are all tried and tested and can be adapted to the children involved and different contexts. They are geared towards children aged eight to 13, but can be adapted to include older and younger children too.

We want this guide to empower people who do not have an in-depth understanding of children's rights. It provides a starting point, explains terminology, and gives plenty of examples. We hope it will make children's involvement in CRIA and CRIE more visible, commonplace, and consistent.



## EUROPEAN NETWORK OF OMBUDSPERSONS FOR CHILDREN (ENOC)

The Commissioner is a member of the European Network of Ombudspersons for Children (ENOC). It has 44 members from 34 Council of Europe member states who meet every year to discuss issues that affect children's human rights across the continent, and to share good practices.

This year the Commissioner finished his three-year term on the ENOC Bureau, having served as Chair in 2021-2022.

ENOC's theme this year has been children's rights and climate justice. The network held its 26th annual conference and general assembly in Reykjavik, Iceland, in September. Young Advisor Sophie attended with the Commissioner and our Information Officer Gillian Munro. Young people from ENYA participated in the conference and presented their recommendations on climate justice.

[ENOC Synthesis Report: Children's Rights and Climate Justice](#) was published, which led to the adoption of the [Position Statement on Children's Rights and Climate Justice](#). This Position Statement highlights concerns about children's environmental rights, and particularly concerns about the extent to which the climate crisis is an imminent threat to children's rights and interests. It is inspired by the urgency of the climate crisis as well as the actions of children and young people around the world who are advocating for climate change mitigation.

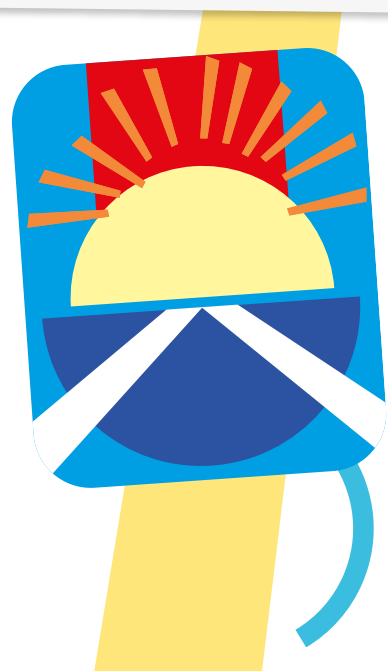


## UNIVERSAL PERIODIC REVIEW

In September, the Commissioner was one of three speakers from Scotland selected to take part in a meeting in Geneva to inform the UN's Universal Periodic Review (UPR) of the UK's respect for human rights. The aim of the UPR is to improve the overall human rights situation in every UN member state and to share best practice around the globe. It is an opportunity for organisations like ours to highlight what could be improved.

In his speech, [the Commissioner outlined his own strategic priorities, and significant children's rights issues highlighted by his Young Advisors](#) to delegations from around the world.

He highlighted the delay of UNCRC incorporation, and youth justice issues, such as children in Scotland still being sent to prison, and asked the UPR to recommend that the Scottish Government immediately raises the age of criminal responsibility to at least 14. He also focused on poverty, mental health and restrictive practices (including restraint and seclusion). His speech was backed by meetings with diplomats from other countries and we also took the opportunity to building connections with the Committee on the Rights of the Child and the Committee on the Rights of People with Disabilities, who were meeting at the same time.



## REPORTING TO THE UNITED NATIONS

In November, we submitted our [joint report](#) to the UN Committee on the Rights of the Child, along with the Children's Commissioners from Wales and Northern Ireland.

We highlighted concerns around the violation of children's rights – including poverty, mental health and the UK Government's proposed changes to the Human Rights Act, which will significantly weaken the protection of children's rights.

The Commissioners also submitted a report of [children's voices](#) and experiences, as children and young people's views must be central to decisions affecting them.

The UK Government has a duty to tell the UN Committee what they are doing to make children's rights a reality, so our damning "report card", outlining what is being done well and what needs to be done better, is an important part of that process.

Some progress has been made since the last report in 2016, but for many children, life has got much worse.

Poverty affects every aspect of a child's life and all three Commissioners called for the UK social security system to once again become a safety net for children.

Both reports highlighted the impact stretched mental health services are having on children and young people.

Additionally, we still have an age of criminal responsibility of 12 in Scotland, two years below the international minimum standard.

All three Commissioners were clear that the UNCRC must be incorporated into relevant domestic law. Here, the Scottish Government must urgently bring forward the amendments to the UNCRC (Incorporation) Bill needed for this to happen.

## UN COMMITTEE ON THE RIGHTS OF THE CHILD PRE-SESSION

In February, four children and young people from Scotland joined Bruce to speak to the UN Committee on the Rights of the Child as part of their examination of how the UK is doing on children's rights as part of #TeamScotlandUN. The two Members of the Scottish Youth Parliament and two Members of the Children's Parliament joined a children's meeting with the Committee, along with children from elsewhere in the UK and Jersey, presenting information from the written report submitted to the UN by children from Scotland. While they were in Geneva, they also took part in an event and online webinar for the Geneva Academy on involving children in the UN's work and got an opportunity to tour the UN buildings.



## ADVICE ON CHILDREN'S HUMAN RIGHTS

In the first 'normal' year of exams for S4-6 pupils and despite a new appeals system, a number of young people and parents approached us with complaints about SQA decision-making, particularly where there were exceptional circumstances.

Post-Covid access to Child and Adolescent Mental Health Services, as well as dental and surgical treatment has been an issue, with children and young people reporting being on lengthy waiting lists, experiencing periods of pain and distress. We wrote to the Scottish Government and to child health commissioners raising these concerns.

We continued to receive enquiries about children effectively excluded from education because Additional Support Needs have gone unassessed and unaddressed. These remain discouragingly high, as do the number of reports of incidents of restraint and seclusion in schools – particularly with the Scottish Government's guidance still not finalised, four years on from publication of the Commissioner's formal investigation. We will continue to work on these issues.

We were also contacted about inflexibility around school uniform rules for pupils with sensory issues, concerns about children and young people leaving fostering placements without sufficient planning or support, issues around sibling contact, and children's voices still going disregarded in family court cases. Particularly worrying were instances reported to us of children and young people leaving residential care units at night, often putting themselves at risk, with staff unaware they were missing. These last enquiries have informed our approach to the Scottish Government on amendments required to the national child protection guidance.



## COMMUNICATING ABOUT RIGHTS: MEDIA WORK

One of our key roles is making sure that children, young people, and adults are aware of and understand children's human rights. We highlight a broad range of rights issues through press releases, statements, broadcast media, print, magazines, podcasts, blogs, and online articles. We always include young people's voices, opinions, and experiences in our media work, when appropriate.

This year the Commissioner – and senior staff – have contributed to the media on issues including UNCRC incorporation, poverty, racism, education, exams and assessments, digital rights, the rights of refugees and asylum-seekers, and the rights of children in the justice system.

The Commissioner joined Dr Anja Heilmann from the Department of Epidemiology and Public Health at University College London (UCL) and former Irish Senator Jillian van Turnhout for the Lifecourse Podcast. They talked about how the law has changed in Scotland, Ireland and Wales regarding the physical punishment of children and prospects for change in England.

He also took part in a podcast with the Children and Young People's Centre for Justice (CYCJ) to discuss the rights of children in the justice system or in conflict with the law.

## COMMUNICATING ABOUT RIGHTS: SPEECHES AND FILMING

Raising awareness of children's rights is a key part of our work, and we especially strive to highlight rights issues for children whose rights are already most at risk.

In June, the Commissioner chaired Growing Up In Scotland's conference, with keynote speakers Clare Haughey, Minister for Children and Young People, and Michael Chalmers, Director of Children and Families from the Scottish Government. The following week, he spoke at the Scottish Prison Visitors' Centre annual conference to highlight rights issues facing children who have a relative in prison. He focused on the UNCRC and The Promise in relation to children visiting prisons.

We worked with Children's Health Scotland to support a young person called Eve to speak at the Royal College

of Paediatrics and Child Health (RCPCH) conference in the same month, alongside the Commissioner. Eve talked about her experience of having autism and dealing with healthcare professionals and the Commissioner told the conference in Liverpool about the human rights framework, with particular focus on the right to health.

In September, the Commissioner spoke at Starcatchers' event, Where Is The Voice Of The Baby? The arts and early years organisation looked at how the views of babies and children aged up to age three can be heard and respected and the Commissioner discussed how the rights of babies and toddlers can be fulfilled.

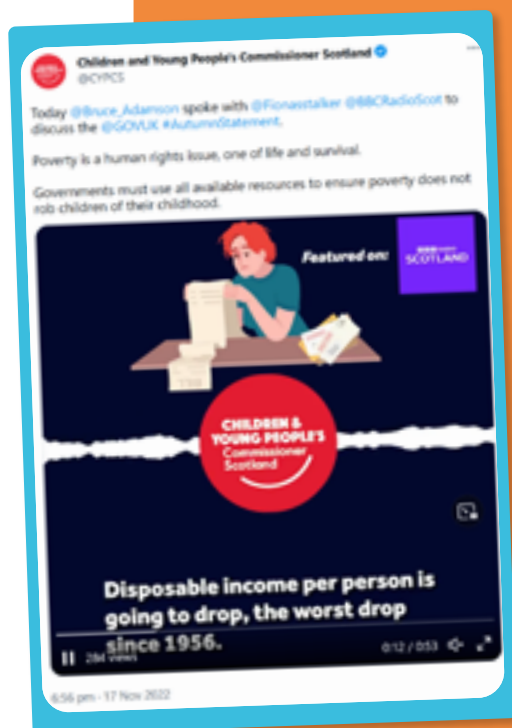
The Commissioner spoke at the joint conference of the HMC (the Headmasters' and Headmistresses' Conference) and IAPS (the Independent Association on Prep Schools) in October. He told 800 delegates about the importance of UNCRC incorporation, what it will mean for schools and teaching, and the value of a rights-based education.

In November, the Commissioner delivered the keynote speech for the Youth Matters Conference, held at The Usual Place in Dumfries. The event for schools across Dumfries and Galloway was created and hosted by a young people's steering group, including Young Advisor and human rights defender Finlay. The Commissioner explained about the importance of rights and human rights defenders and urged the adults in the room to listen and learn from the young people there. In May, he celebrated with the group when the conference report and recommendations were launched.

The Commissioner spoke at the National Youth Work conference in Glasgow. This year's theme was Tackling Poverty: The Power of Youth Work to Change Lives and he talked about the importance of youth work's role in poverty reduction. On the same day, he also discussed school exclusions and its impact on children's rights as part of Excluded, an event organised by EachOther.

The Commissioner spoke at a BBC Children In Need event for its £10million funding scheme A Million And Me which has helped projects improve children's mental health, wellbeing, and resilience.

There was more focus on the importance of youth work in supporting children's rights in Orkney in March when the Commissioner spoke at the Orkney Youth Conference and the Orkney Youth Awards. While he was in Orkney, he visited Strynd Nursery, and enjoyed playing with and reading to the children.



## OUR INVESTIGATIONS

The office Advice and Investigations team was created in 2017, and uses our investigation power to identify and address issues affecting children's human rights. When deciding to use our power we consider a range of factors and criteria including the scope, scale, and urgency of a potential rights breach; the vulnerability of the children involved; the resources and expertise we can commit; other work taking place on the issue; and the potential outcome. The Commissioner has the legal power to investigate situations where we are concerned that human rights promises to children and young people are not being kept. Our office's role is to hold people in power to account and take action when children's rights are breached.

### MENTAL HEALTH INVESTIGATION

This [investigation](#) is a first for the office, as a group of our Young Advisors are exercising the Commissioner's investigation powers themselves. They are conducting the investigation with support from our Advice and Investigations and Strategy teams.

It was launched because the crisis affecting children's mental health has worsened, deepened by the aftermath of the pandemic. We believe it is vital to identify the issues that prevent and stunt the provision of adequate

mental health services and support for children and young people. We must base our solutions to this crisis on the views and experiences of children and young people.

The Young Advisors decided they wanted this investigation to focus on the provision of school counselling. Specifically, to consider whether the current model is sufficient to deliver a rights-based approach to mental health provision given the increased need post-pandemic. They are using the Commissioner's legal investigation powers to ensure they can access the evidence they need to make recommendations on what needs to change.

The investigation significantly progressed this year. Every local education authority in Scotland received the terms of reference of the investigation, a survey to complete and a list of documentary evidence to be provided, with a deadline for reply by 8 July, 2022. Unfortunately, a number of local authorities were unable to respond by the deadline, but by September the survey analysis was under way, followed by analysis of the documentary evidence received.

With new members of the Young Advisors Group expressing interest in the investigation, the Mental Health Investigators group was expanded. The wider group has been able to consider and comment on the analysis of information and make recommendations for the formal investigation report which was laid before the Scottish Parliament in May. The investigation's findings will be covered in more detail in next year's Annual Report.

**"The process of advising the office in the Mental Health investigation has been much more than a tokenistic, quick survey of how young people feel. We, as school-aged young people, were involved in every decision made and I feel as though the findings of this investigation represent the broad range of experiences of young people across Scotland - good and bad."**

**Rebecca, Young Advisor**

### SECURE ACCOMMODATION

In June 2021, we launched our investigation into unlawful deprivation of liberty, [Statutory Duties In Secure Accommodation: Unlocking Children's Rights](#). It found that children may have been deprived of liberty without due legal process. Last year's Annual Report covered this investigation in-depth. The lessons learned from it were used to inform our response to the consultation on the Care and Justice Bill currently going through the Scottish Parliament and we will be visiting all secure units in the first half of 2023.

### RESTRAINT AND SECLUSION

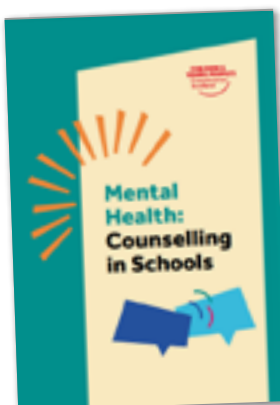
We are still calling on the Scottish Government to make guidance on restraint in education (holding a child to stop them moving) and seclusion (shutting a child alone in a room and not allowing them to leave) statutory. We have also called for an over-arching legal framework on restraint that applies to all situations where children are in the care of the State, including schools, residential and secure care, and mental health provision.

It is deeply concerning and disappointing that even the non-statutory guidance being prepared by the Government is not yet in force, and lacks a clear articulation of the law and human rights. This should have been done as a matter of urgency.

We have been demanding this since our investigation into restraint and seclusion in 2018. Our report [No Safe Place: Restraint and Seclusion in Scotland's Schools](#) made 22 recommendations and we subsequently, along with the Equality and Human Rights Commission (EHRC), took the Scottish Government to court to ensure they complied. The Scottish Government committed to produce national guidance on restraint and seclusion.

All children deserve protection from all forms of abuse or harm, in all aspects of their lives. Children have the right to feel safe. They have a right to dignity, to bodily integrity, and to be protected from cruel, inhuman or degrading treatment.

Failure to ensure rights-respecting practice leaves children without the protection that they are entitled to, and the Scottish Government in breach of its human rights obligations. We continue to work with partners to ensure the most effective legislative and guidance provision to secure maximum protection for children's rights.



## GOVERNANCE AND RESPONSES

**We are a public body and we have statutory duties to ensure good governance. Here, we outline these duties and how we meet them.**

### ACCESS TO INFORMATION

Our office is committed to openness and transparency, particularly in relation to freedom of information and environmental information rights, where anyone can ask for and be given the information we hold, unless we can give a good and lawful reason for not providing it. We responded to 14 freedom of information requests in 2022-23. We responded to all requests within the required 20 working days, with an average response rate of 15 working days. We received two requests for an internal review, both of which were responded to within the required 20 working days. We did not receive any requests for environmental information.

We are also subject to UK data protection law. This law gives everyone, including children and young people, more control over how their personal information is used, shared and stored. Importantly it also requires organisations, including our office, to be more accountable and transparent about how we use personal information. We have the support of a Data Protection Officer who is independent of our office. They check to see how well we are complying with data protection law, provide us with advice, and issue recommendations on how we can best meet our data protection obligations.

### WORKING PRACTICES AND TRAINING

During the pandemic, the office was open for essential work that could not be done remotely. This year, it fully reopened and we have been using a flexible hybrid working style where colleagues can use the office as well as work remotely. In August, we were able to support our Legal Officer to undertake a secondment to the Children's Commissioner for Jersey's office. The learning and outcomes from this will be included in next year's Annual Report.

We have enjoyed training delivered online and in-person. In June, we held training in the office for everyone to reconnect after the pandemic lockdowns to explore effective team-working together. In September, we started training with The Salvesen Mindroom Centre's programme It Takes All Kinds Of Minds: Supporting Neurodivergent Young People. Over three two-hour sessions, we looked at learning difficulties like autism, ADHD, dyslexia, developmental coordination disorder (also known as dyspraxia) and Tourette's syndrome, and we discovered some of the more common conditions that are associated with learning difficulties. We explored the simple changes we could make to support children and young people who are neurodivergent in our participation work as well as our wider ways of working. In October, we had two interactive sessions of training with the National Day Nurseries Association (NDNA) Scotland. Their rights-respecting work covered how to give choices and listen to opinions of very young children and babies.



## CORPORATE PARENTING

Our corporate parenting duties continue to be at the heart of our work, and we make sure we consistently take account of the views of care experienced children and young people. Our Strategy team have contributed to a number of issues which aim to keep [‘The Promise’](#) – including major pieces of policy work on the National Care Service, Children (Care and Justice) Bill and cross-border placements, on which we provided the Scottish Parliament with both written and in-person evidence. The Commissioner and staff have met with Sheriff Mackie to discuss his review of the Children’s Hearings system and in February we joined care experienced young people from across Highland, Shetland and Orkney to explore the theme of home on Care Day at the Tending the Light Festival of Care in Inverness.



## WHISTLEBLOWING

The Children and Young People’s Commissioner Scotland is a prescribed person under the Public Interest Disclosure Act 1998, which provides legal protections for employees who whistleblow.

The Commissioner’s statutory function is to promote and safeguard the rights of children and young people. This is set out in the Commissioner for Children and Young People (Scotland) Act 2003. Our approach to whistleblowing disclosures is informed by that role and by the Commissioner’s statutory powers as set out in the same Act. The range of responses open to the Commissioner is the same as with any other enquiry received by the office and is subject to the same decision-making process on the most appropriate course of action.

The Commissioner is required to report on an annual basis the number of disclosures made to him under the Public Interest Disclosure Act 1998. For obvious reasons we do so in a way that protects the identity of the person making the disclosure.

In 2022/23, we received one whistleblowing disclosure, about the quality of service and levels of protection provided to a group of young people with vulnerabilities. We have worked with the individual concerned to agree areas where we can help to progress change.



## EQUALITY OUTCOMES

Due to the ongoing impact of the Covid-19 pandemic, we were unable to review our Equality Outcomes with our Young Advisors as planned. As we prepare our new Strategic Plan over the next 12 months, we will develop Equality Outcomes which complement our new strategic objectives. In the meantime, our progress against our existing equality outcomes is outlined here.

1

### Equality Outcome 1: We support children from birth to five years to understand their rights.

Our work on the UN Committee on the Rights of the Child’s Draft General Comment 26 focused on young children’s understanding of their rights and their views on the world around them. Through 1Word1World, toddlers and young children shared a word, sound, or picture about what the environment means to them.

We have also been working on a children’s story book to help younger children understand their rights. Practitioners had requested resources on rights for this age group, and our beautiful book Let’s Explore Our Rights explains in an age-appropriate way what rights are and why they are important. It will spark first conversations about human rights

2

### Equality Outcome 2: Our work challenges gender stereotyping

We are always aware of our need to challenge gender stereotyping across all our work. During our Roadshow, we celebrated the first Up Helly Aa in Shetland to include squads of women and with Sport Scotland we talked about their drive to increase girls’ participation in sport.

We have been lucky to have some fantastic Young Advisors over the years but we’re aware that applications are disproportionately from girls. We have actively tried to improve the gender balance of our Young Advisors Group, by reviewing the way we recruit members and highlight that boys can also be human rights defenders.

In our policy work, we responded to both a Scottish Parliament petition and a Scottish Government consultation on school uniforms and have continued our long-term work on violence against women and girls.

3

### Equality Outcome 3: We will work to empower children and young people with mental health problems

Our Mental Health Investigation has been led by our Young Advisors, who chose the focus of the investigation and have actively participated at all stages the investigation, using the Commissioner's legal powers. They worked with us to design the survey sent to local authorities and met with Scottish Government officials and representatives of young people's organisations to inform their work.

We have also worked with the Scottish Mental Health Law Review team to discuss ways of strengthening the rights of children affected by mental health legislation.

4

### Equality Outcome 4: All our communications are accessible and inclusive

We have reviewed our website, which was relaunched in 2020, to ensure that it continues to represent good practice for accessibility. We have also developed our use of different formats, including videos and cartoons, to make our work accessible to more children. We developed a Symbols resource to be used as a communication tool for children and young people who may be very young, non-verbal, have speech and language difficulties or additional support needs. We produce our key resources in English and Gaelic, and translated our Know Your Rights In Custody information resource into [Arabic](#), [Polish](#), and [Vietnamese](#). All our communications are accessible and inclusive.

5

### Equality Outcome 5: Our recruitment, selection and human resource policies and procedures are fair and non-discriminatory.

Our office supports the principle of equal opportunities in employment and operating practices. As an employer, and under the Equality Act 2010, we are committed and duty bound to ensure that no individual is discriminated against, either directly or indirectly, unlawfully, or unjustifiably because of their personal status in relation to age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

Specifically, in recruitment and selection, we offer guaranteed interview for those applicants who meet the essential criteria and who identify as disabled, or care experienced. As a small organisation, we take each recruitment process as an opportunity to review our policies and procedures when we recruit staff.

During the Covid lockdowns we provided staff with young children with additional flexibility.

6

### Equality Outcome 6: Our procurement procedures exceed our duties under the Equality Act

The overarching [procurement policy](#) requirement is that all public procurement must be based on value for money, defined as the best mix of quality and effectiveness for the least outlay, over the period of use of the goods or services bought.

Our office's procurement procedures ensure that our standards as a public body are upheld within the purchase of goods or services. This includes standards in environmental sustainability, information security procedures, living wage employment and professional assurances such as correct indemnity.



### INTERNATIONAL SUBMISSIONS

**August 2022:** Universal Periodic Review – Human Rights Council [▶▶](#)

**November 2022:** Joint Report of the Children's Commissioners of Northern Ireland, Scotland and Wales to United Nations Committee on the Rights of the Child [▶▶](#)

**February 2023:** Draft General Comment 26 on children's rights and the environment with a special focus on climate change – UN Committee on the Rights of the Child. [▶▶](#)

## LIST OF CONSULTATION RESPONSES AND EVIDENCE TO PARLIAMENT

### APRIL 2022

- Scottish Parliament Civic Participation and Public Petitions Committee written evidence: [PE1919 Ban the sale of high caffeine products to children for performance enhancement](#)

### MAY 2022

- Scottish Parliament Committee Briefing: [The Cross-border placements \(Effect of Deprivation of Liberty Orders\) \(Scotland\) Regulations 2022](#)
- Scottish Parliament Education, Children and Young People Committee oral evidence: [Evidence on the Cross-border placements \(Effect of Deprivation of Liberty Orders\) \(Scotland\) Regulations 2022](#)
- Scottish Parliament Supplementary Evidence: [Cross-border placements \(Effect of Deprivation of Liberty Orders\) \(Scotland\) Regulations 2022](#)
- Scottish Parliament Equalities, Human Rights and Civil Justice Committee written evidence: [Gender Recognition Reform \(Scotland\) Bill Stage 1](#)
- Scottish Parliament Equalities, Human Rights and Civil Justice Committee oral evidence: [Gender Recognition Reform \(Scotland\) Bill Stage 1](#)
- Scottish Parliament Criminal Justice Committee oral evidence: [Tackling online child abuse, grooming and exploitation – roundtable discussion –](#)

### JUNE 2022

- Scottish Parliament Civic Participation and Public Petitions Committee written evidence: [PE1926 Expand universal school meals for all nursery, primary and secondary school pupils](#)
- Scottish Government consultation response: [Children's Care and Justice Bill](#)

### AUGUST 2022

- Scottish Government consultation response: [Improving victims' experiences of the justice system](#)
- UK Parliamentary Joint Committee on Human Rights written evidence: [Bill of Rights Bill](#)

### SEPTEMBER 2022

- Scottish Parliament Criminal Justice Committee written evidence: [Bail and Release from Custody \(Scotland\) Bill](#)

### OCTOBER 2022

- Scottish Government consultation response: [Statutory school uniform guidance](#)
- Scottish Government consultation response: National Secure Adolescent Inpatient Service (Foxgrove)
- Scottish Government consultation response: [Physical intervention in schools guidance](#)

### NOVEMBER 2022

- Scottish Parliament Citizen Participation and Public Petitions Committee: [PE1937 To give children the respect they deserve by providing options for privacy when changing for P.E.](#)
- Scottish Parliament Education, Children and Young People Committee oral evidence: [National Care Service \(Scotland\) Bill Stage 1](#)
- Scottish Parliament Public Audit Committee oral evidence: [Tackling child poverty](#)

### FEBRUARY 2023

- Scottish Parliament MSP Briefing: [UNCRC Incorporation \(Scotland\) Bill](#)
- Scottish Parliament Finance and Public Administration Committee written evidence: [Inquiry into public administration – effective Scottish Government decision-making](#)

### MARCH 2023

- Scottish Parliament Civic Participation and Public Petitions Committee written evidence: PE1979 Establish an independent inquiry and an independent national whistleblowing officer to investigate concerns about the alleged mishandling of child safeguarding enquiries by public bodies
- Scottish Parliament Civic Participation and Public Petitions Committee written evidence: PE1968 Restrict perpetrators of domestic abuse from using family court proceedings to continue tormenting their victims
- Scottish Parliament Education, Children and Young People Committee written evidence: Children (Care and Justice) (Scotland) Bill Stage 1



The Scottish Parliament allocated the Commissioner a budget of £1,457,000 for the financial year 2022-23 (2021-22: £1,374,000).

The Commissioner drew down £1,361,881.15 (2021-22: £1,216,719).

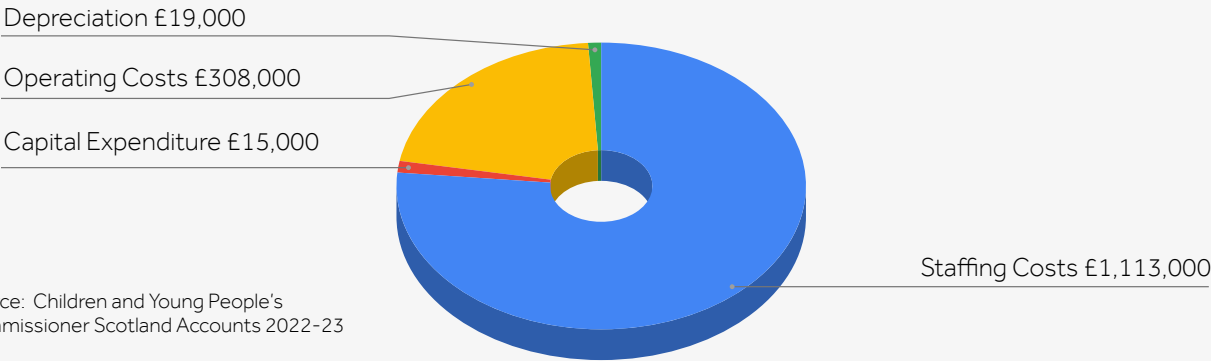
|                                      | 2022-23      | 2022-23      |            | 2021-22      |
|--------------------------------------|--------------|--------------|------------|--------------|
|                                      | Budget       | Expenditure  | Variance   |              |
|                                      | £'000        | £'000        | £'000      | £'000        |
| Net operating costs per the accounts | 1,455        | 1,440        | -15        | 1,253        |
| Capital additions                    | 2            | 15           | 13         | 19           |
| <b>Total expenditure</b>             | <b>1,457</b> | <b>1,455</b> | <b>-2</b>  | <b>1,272</b> |
| <b>Adjustments</b>                   |              |              |            |              |
| Non-cash items                       |              | -19          | -19        | -25          |
| Working Capital (including cash)     |              | -74          | -74        | -30          |
| <b>Cash funding from SPCB</b>        | <b>1,457</b> | <b>1,362</b> | <b>-95</b> | <b>1,217</b> |

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 2023 totalled £1,440,000 (2021-22: 1,253,000). This was on staffing costs £1,113,000 (2021-22: £998,000), other operating expenditure £308,000 (2021-22: £230,000) and depreciation and amortisation £19,000 (2021-22: £25,000).

Other income for the year was £0 (2021-22: £0). £15,000 (2021-22: £19,000) was spent on capital additions during the financial year.

Net Expenditure 2022-23



Operating Activities 2022-23

The chart below illustrates the cost of operating activities by category of expenditure. Excluding staff costs of £1,113,000, capital expenditure of £15,000 and depreciation of £19,000 other operating expenditure amounted to £307,410. These were spent in the following categories.

Promotion and participation (28%) which includes spend within our Strategy Team and activities which promote children and young people's rights.

General office running costs (16%) includes all normal office running costs, for example equipment and maintenance.

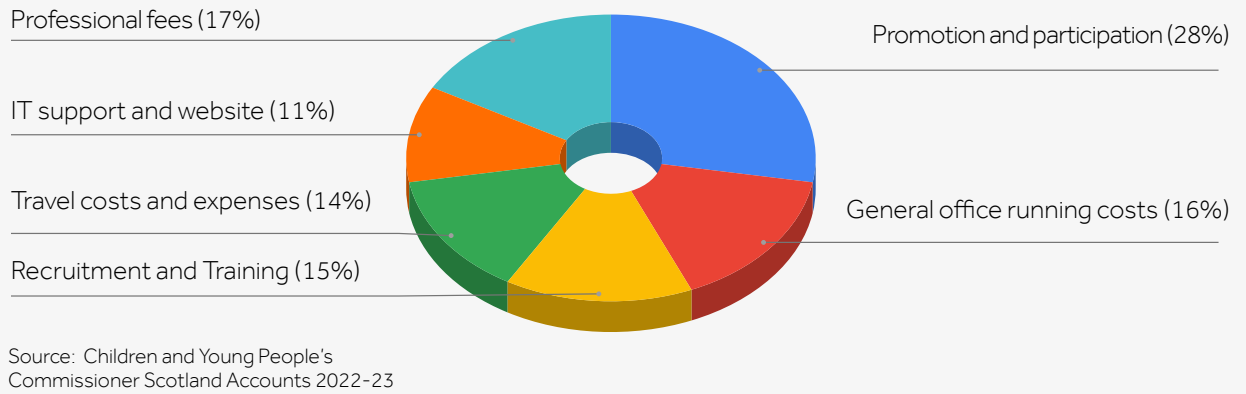
Staff recruitment and training (15%) includes the cost of both investing in the individual and staff teams.

Travel costs and expenses (14%) includes costs incurred by both the Commissioner and the staff team.

IT support and website (11%) includes the cost of support and maintenance of our IT and website.

Professional fees (17%) includes the cost of legal, audit, accountancy fees and payroll services. This also includes the professional fees attributed to the work of the Advice and Investigations Team.

Cost of Operating Activities 2022-23



A full copy of the Annual Accounts 2022-23 will be published on our website later in the year at [www.cypcs.org.uk](http://www.cypcs.org.uk)

# THE YEAR AHEAD

This year will be a very exciting one for our office as a new Commissioner will be starting. Our Young Advisors will, of course, be at the heart of our work. One of our first tasks together will be to develop a new Strategic Plan for 2024-28, although our key themes – poverty, mental health and climate justice – remain priorities for now.

We will continue to push the Scottish Government, and the UK Government in Westminster to realise the rights of children living in poverty.

We will continue to focus on our key legislative priority of UNCRC incorporation and urge the Scottish Government to address the amendments required by the Supreme Court to pass the UNCRC (Incorporation) (Scotland) Bill. Resolving

this must be an urgent priority for our new First Minister, so that children's rights are finally protected in law.

The importance of supporting children and young people to work closely with their peers in Europe and around the world on human rights issues is underlined by issues like the cost-of-living crisis and the war in Ukraine, which show how fragile rights protections can be. This year, ENOC is going to be examining the role of Independent Children's Rights Institutions, learning from good practice across Europe.

We launched our Rights Challenge Badge with Scouts Scotland this year. It was aimed at Cubs and Scouts and we are excited to be extending this offer this year to the youngest and oldest members of Scouting. Our badge for Squirrels and Beavers will be rolled out in May, and in the autumn, Explorers will be able to work towards earning the badge.

We are so excited to be launching a beautiful book for young children called Let's Explore Our Rights. It will spark first conversations to explore human rights with

young children, and help them understand what their rights are and why they are important.

We are also thrilled to be taking two Young Advisors to the United Nations in Geneva. The office, with the Children's Commissioners of Northern Ireland and Wales, submitted our joint report on children's rights to the UN in November. In the next stage of the reporting cycle, government representatives from the UK, Scottish, and other devolved nations, will be questioned on the issues raised in the report in Geneva and the Young Advisors will be there as roving reporters, covering it all. They will create content for other children and young people to explain what happened at the UN session. Full details will be in next year's Annual Report.

We will work with young BSL users to inform our BSL plan for 2024-28, and we are committed to increasing the number of our staff who can use BSL. We will continue to make our website and our communications as accessible as possible.

Above all, we will strive to champion and safeguard children's human rights in everything that we do. Our work in doing that will always be underpinned by our values of participation, bravery, respect, independence, and leadership.



**"Being a Young Advisor means so much to me. It is an honour to have worked with the office and I love the way that everything fits together so nicely. I feel like I am really making an impact on the children and young people across Scotland and helping them all to have better lives and I can't wait to see what the next year is going to bring!"**

**Lewis, Young Advisor**



## TEAM (IN MARCH 2023)

### Commissioner

Bruce Adamson

### Young Advisors

Abi, Aby, Ally, Amber, Aurelia, Ava, Benny, Beth, Blair, Chloe, Emily, Emma, Eve, Farrell, Faye, Fin, Finlay, Grace, Helen, Ibukun, Imaan, Innes, Isabel, John, Lewis, Lily, Marcus, Naayela, Paige, Penny, Petra, Rebecca, Rennie, Scott, Sol, Sophie

### Advice and Investigations

Nick Hobbs, Head of Advice and Investigations

Maria Galli, Legal Officer (Investigations and Strategic Litigation) - on secondment

Linda Ellis Macdonald, Advice and Investigations Officer

Anthony McIlvaney, Legal Officer

### Corporate Services

Nicola Vallance-Ross, Head of Corporate Services

Judith Chisholm, Executive Assistant

Caitlin Hamilton-Jones, Finance and Administration Assistant

Amanda White, Executive Assistant

### Strategy

Gina Wilson, Head of Strategy

Cathy Begley, Participation Officer (PT)

Kevin Browne-MacLeod, Policy Officer

Megan Farr, Policy Officer

Gillian Munro, Information Officer

Cameron-Wong McDermott, Policy Officer

### Communications

Ezmie McCutcheon, Head of Communications

Louise Baillie, Media and Communications Officer (PT)

Stacey McMullen, Digital Media Officer (PT)

## OUR THANKS

**We would like to thank all the children and young people who have helped us with our work this year. The best part of our job is working with you all and listening to your ideas, experiences, and stories. We would also like to thank the adults and organisations who have supported children and young people to work with us. We were thrilled that we were able to do more face-to-face engagement this year, and we will continue to be as accessible as possible with online participation.**

**A special thanks to our fabulous group of Young Advisors. Your input has been invaluable, and we are so lucky to have you all working alongside us. We are so grateful for all the time and effort you have put into the group this year and we want you to know you are an incredible group of human rights defenders.**

**We would also like to say a huge thank you to Bruce as he leaves office. A true human rights defender, he has personified the values of the office with his leadership, bravery, independence, respect, and focus of participation, all mixed with a healthy dose of good humour. Wishing you all the very best for the future, Bruce.**



Bridgeside House

99 McDonald Road

Edinburgh EH7 4NS

Tel: 0131 346 5350

Young Persons' Freephone: 0800 019 1179

Email: [inbox@cypcs.org.uk](mailto:inbox@cypcs.org.uk)

[cypcs.org.uk](http://cypcs.org.uk)

 [@cypcs](https://twitter.com/cypcs)  [@cypcs](https://www.instagram.com/cypcs)  [/cypcs](https://www.facebook.com/cypcs)

If you would like this document in another format, please let us know.