

Scotland enshrines Rights of the Child in Scots Law

The Scottish Government has incorporated the United Nations Convention on the Rights of the Child (UNCRC) into Scots law.

All MSPs voted unanimously for the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Bill to become law. Public authorities now have to comply with children's rights when the bill becomes effective (six months after Royal Assent).

Scotland joins a small number of countries who have written this into their domestic law, and is the first in the UK to do so.

[The Bill:](#)

- directly incorporates the UNCRC as far as possible within the powers of the Scottish Parliament
- makes it unlawful for public authorities and anyone undertaking functions or providing services to children with public money to act incompatibly with the incorporated UNCRC requirements
- gives power to the Children's Commissioner to take legal action in relation to children's rights
- requires Ministers to produce a Children's Rights Scheme setting out how they comply with children's rights and to report annually
- requires listed public authorities to report every three years on how they comply with children's rights

- gives children, young people and their representatives the right to go to court to enforce their rights, if necessary

Deputy First Minister John Swinney said: "This is a landmark Bill which is the most significant piece of legislation since devolution, delivering a revolution in children's rights. That is a major cause for celebration.

"The Bill will deliver the highest protection possible for children's rights across Scotland within the powers of this Parliament and ensure that a rights-respecting approach is at the heart of our recovery from the pandemic.

"Parliament passing this Bill means that Scotland stands amongst a small number of nations like Norway, Belgium and Finland, and I hope our action today will encourage other countries to follow suit.

"But it does not represent the end of the journey in making children's rights real. It is now incumbent upon us all to ensure the Bill's ambitions are translated into real-life improvements which transform the lives and life chances of our children and young people."

Incorporation of UNCRC into Scots law finally gives children real power to hold the government to account, says the Children and Young People's Commissioner Scotland. Bruce Adamson said: "Scotland has shown real human rights leadership in incorporating the UNCRC into Scots law. It is the most important thing we can do to protect and uphold the rights of children and young people. Exactly 18 years ago, the Scottish Parliament showed its commitment to children's rights by creating the office of the Children's Commissioner and today it has reinforced that commitment by passing the Scottish Government's world-leading children's human rights legislation. This will improve life for all children but children whose rights are most at risk will feel the biggest

impact.”

Director of Together (Scottish Alliance for Children’s Rights) Juliet Harris said: “In passing this Bill, the Scottish Parliament is making a promise to children and young people that their human rights will be at the heart of every decision impacting children that Scotland makes. This historic moment will be celebrated by the countless children, young people and charities across Together’s membership who have worked so hard over the past decade to make this happen. This Bill is a significant step forward in ensuring Scotland is a great place to grow up – for today’s children and young people and for future generations.”

A programme of £2.1 million will assist public authorities to implement the [legislation](#), including training and guidance. Work will also be carried out to empower children to claim their rights.