

Children in Scotland

every child - every childhood

Clerk to the Health and Sport Committee,
Scottish Parliament,
EH99 1SP.

Dear Sir or Madam,

PATIENTS' RIGHTS BILL – CALL FOR EVIDENCE

Children in Scotland is pleased to take the opportunity to submit evidence on the Patients' Rights Bill. We would like to reiterate the concerns we expressed in our comments on the original consultation paper, which I have attached for information. We believe the Bill is capable of improvement in respect of addressing the particular situation of children and young people. Specific reference to the position of children and young people in the Bill would be welcome; while clarification of the rights of parents and carers to act on behalf of a child would be helpful, the capacity of a child to exercise their rights as a patient independently of the parent is also of great importance.

Children in Scotland, along with our equivalent agencies in the other UK administrations, was recently asked by the General Medical Council to assist, with the direct involvement of young people, in producing material to make young people aware of their rights as patients. Below is a link to the poster they developed. Material of this type should be developed in conjunction with the Bill, to ensure that the rights it confers are well known and understood.

http://www.gmc-uk.org/guidance/children_and_young_people.asp.

The UN Convention on the Rights of the Child recognises the right of every child to 'the highest attainable standard of health', and states that governments should 'ensure that no child is deprived of his or her right of access to health care services' (Article 24). Articles 3 and 12 state respectively that public services should ensure that 'the best interests of the child shall be a primary consideration', and that 'the views of the child are given due weight' in any proceeding affecting them. As the Scottish Government is committed to the implementation of the UNCRC, it seems appropriate to reflect this in the legislation.

Yours sincerely,

Marion Macleod

Children in Scotland is Scotland's national agency for organisations and professionals working with and for children, young people and their families. It exists to identify and promote the interests of children and their families and to ensure that policies and services and other provisions are of the highest possible quality and are able to meet the needs of a diverse society. Children in Scotland represents more than 400 members, including 90% of Scottish Local Authorities, all major voluntary, statutory and private children's agencies, professional organisations, as well as many other smaller community groups and children's services. It is linked with similar agencies in other parts of the UK and Europe.

The work of Children in Scotland encompasses extensive information, policy, research and practice development programmes. The agency works closely with MSPs, the Scottish Government, local authorities and practitioners. It also services groups such as the Cross Party Parliamentary Group on Children and Young People (with YouthLink Scotland). In addition, Children in Scotland hosts Enquire - the national advice service for additional support for learning, and Resolve: ASL, Scotland's largest independent education mediation service.