

Children in Scotland

every child - every childhood

12 March 2009

Tracy O'Hanlon
Children's Rights Team
Scottish Government
Victoria Quay
EDINBURGH
EH6 6QQ

Dear Tracy,

IMPROVING THE LIVES OF CHILDREN – ARE WE THERE YET?

Children in Scotland represents over 450 members, including statutory, voluntary and professional organisations concerned with promoting the best interests of children and young people. We welcome the opportunity to comment on the concluding observations of the UN Committee and on the Scottish Government's proposed actions. At this stage, we are confining our response to your two questions. We are likely to comment in more detail once priorities have been set and proposals made more concrete.

1. What do you think are the most important issues for priority action?

The first issue we wish to raise is really an underpinning one rather than a comment on a specific proposal. Much of our domestic legislation is framed around compelling bodies to provide service (e.g. education). In some circumstances, the compulsion exists only where deficit or difficulty has already been established (e.g. child protection). The UNCRC would be made more meaningful and real if there was a shift to entitlement-based legislation based on its key principles, with a clear process of recourse if/when children do not receive their entitlements.

As far as specific proposals are concerned, we believe that the areas of early support and prevention of difficulties are a high priority (32, 34 & 78). There is indisputable evidence that provision of appropriate support in the early years achieves more effective and sustainable outcomes than later intervention.

Another compelling reason for giving priority to this area of activity is that if support is activated only after difficulties have arisen – that is, when prevention has not been tried or has not succeeded -- the potential for delivering on other crucial children’s rights (such as good health and successful education) is compromised. In addition, any investment in early years achieves significantly greater impact than the equivalent allocation of resources at later life stages.

We also support the value of the specific, established role of Scotland’s Commissioner for Children and Young People in promoting the application of the UNCRC in Scotland. Due to the current consideration of the future of this office, we see preserving the independence and powers of SCCYP as an immediate priority.

Actions that address the issue of child poverty (42, 89, 90, 93) also deserve priority. The correlation between poverty and other experiences adversely affecting children is well documented.

We are particularly interested in governmental actions that not only result in adequate additional household income, but also eliminate the worst consequences of poverty upon children. That is why we have supported efforts to eliminate fuel poverty for low-income families with children. Until the happy day arrives when poverty itself is eliminated, governments could and should ensure that children at least can have a warm, dry and reasonably healthy home in which to grow up, rather than one that is cold, damp and illness-inducing.

Finally, we would support the development of improved data systems (66) as one of the priority actions. Without the best possible evidence and understanding, governments are compromised in terms of effective planning and meaningful awareness of the impacts that ‘actions’ actually have (positive or negative) upon children’s lives and life chances.

2. Do you think the proposed response is proportionate and realistic?

Generally, we agree that the proposed response is both proportionate and realistic. We are, however, concerned that where major change would be required, the actions proposed may be insufficient. The ‘transformational change’ that the *Early Years Framework* is intended to deliver, for example, is likely to require more investment of energy and resources than is indicated here.

We also must raise the question as to how the Scottish Government can ensure that the actions proposed in its response here will be included and prioritised, given the Concordat and the Single Outcome Agreements. At present, local authorities and community planning partnerships hold the lead responsibility for most of the intended actions.

I hope this is helpful. Please contact me if you have any questions (mmacleod@childreninscotland.org.uk, 0131 222 2435).

Yours sincerely,

Marion Macleod
Senior Policy and Parliamentary Officer

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 450 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.