

# SCCYP!

**Scotland's Commissioner for Children and Young People**

Third Annual Report  
2006-2007

*"Every child and young person under the age of 18 has rights, no matter who they are, where they live or what they believe in. These rights are protected by an agreement between almost all of the countries in the world. This is called the United Nations Convention on the Rights of the Child."*



**Keeping Promises**

“Every child and young person under the age of 18 has rights, no matter who they are, where they live or what they believe in. These rights are protected by an agreement between almost all of the countries in the world. This is called the United Nations Convention on the Rights of the Child.”

## Everyone under 18 has these rights . . .

Adults and children should know about this convention

You have the right to protection against discrimination

You have the right to

You have the right to education

Adults should do what is best for you

You have

You have the right to have your rights made a reality by government

You have the right to have the best care for you if you are adopted or living in foster care

You have the right to have a name and a nationality

You have the right to have a good enough standard of living

You have the right to special

You have the right to help from the government if you are poor or in need

If you and your parents are living in different countries, you have the right to get back together and live in

You

You have the right to an opinion and for it to be listened to and taken seriously

If you come from a minority group you have the right to enjoy your own culture, practice your own religion

You have the right to find out things and say what you think, through making art, speaking

You have the right to be protected from dangerous drugs

You have

You have the right to think what you like and

If you are disabled, either mentally or physically, you have the right to special care and education

You have the right to be with friends and to go on outings with

You have the right to a private life, ie you can keep a diary that other people

You have the right to be protected from sexual abuse

You have the right to education which develops your personality,

You



# Contents

Introduction	2
The Commissioner's Job	7
Issues for Scotland's Children	10
The Commissioner's Activities	12
The Participation Strategy	19
The Participation Workers	21
Young People's Groups	23
Consultation Responses	26
Enquiries Update	28
Accounts	30
Legal Compliance	31
The Coming Year	32

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‘اگر مایلید خلاصه ای از این گزارش به زبان فارسی در اختیارتان قرار داده شود، لطفاً به دفتر SCCYP در شماره 0131 558 3733 تلفن کرده و یا به نشانی [info@sccyp.org.uk](mailto:info@sccyp.org.uk) ایمیل بزنید’

‘यदि आप इस रिपोर्ट का संक्षिप्त विवरण हिन्दी में चाहते हैं तो कृपया SCCYP कार्यालय के टेलीफोन नम्बर 0131 558 3733 पर सम्पर्क करें अथवा [info@sccyp.org.uk](mailto:info@sccyp.org.uk) पर ई-मेल करें।’

‘ئەگەر دەتەوێت کورتەپەکی ئەم راپۆرتەت بە زمانی کوردی بۆ دابین بکەیت، تکایە لەسەر ژمارە تەلەفۆنی 0131 558 3733 یاخود بە ئیمیلێ [info@sccyp.org.uk](mailto:info@sccyp.org.uk) پەیوەندی بە ئۆفیسێ SCCYP بکە’

‘ਜੇ ਤੁਸੀਂ ਇਸ ਰਿਪੋਰਟ ਦਾ ਸਾਰ-ਸੰਸ਼ ਪੰਜਾਬੀ ਵਿੱਚ ਉਪਲੱਬਧ ਕਰਾਇਆ ਜਾਣਾ ਚਾਹੁੰਦੇ ਹੋ ਤਾਂ ਕਿਰਪਾ ਕਰਕੇ SCCYP ਆਫਿਸ ਨਾਲ 0131 558 3733 ਤੇ ਸੰਪਰਕ ਕਰੋ ਜਾਂ [info@sccyp.org.uk](mailto:info@sccyp.org.uk) ਤੇ ਈ-ਮੇਲ ਕਰੋ।’

‘اگر آپ چاہتے ہیں کہ اس رپورٹ کو اردو میں دستیاب کرایا جائے تو براہ کرم SCCYP آفس سے 0131 558 3733 پر رابطہ کریں یا [info@sccyp.org.uk](mailto:info@sccyp.org.uk) پر ای میل کریں’



**Kathleen Marshall**  
Scotland's Commissioner for  
Children and Young People

This third annual report covers the middle period of my five-year term of office – from 1 April 2006 to 31 March 2007.

It has been a time to pause and take stock. Each of the years is dominated by a particular activity that gives a shape to the five year term.

## Shape of five year term (current year in bold):

1. Establishment
2. Consultation on priorities – children, young people and agencies
3. **Two inter-connected strands:**
  - a. **Policy – Action Plan Year 1 – mapping and evidencing priority issues**
  - b. **Participation – establishing and nurturing standing groups of children and young people**
4. **Two inter-connected strands:**
  - a. **Policy – Action Plan Year 2 – focusing and addressing**
  - b. **Participation – developing role of standing groups and extending general awareness of SCCYP and UNCRC**
5. **Two main activities:**
  - a. **Action Plan Year 3: resolution and dissemination**
  - b. **Preparation for next Action Plan.**

It has been an exceedingly active year, and we have kept the promises we made at the end of last year's report.

- Publication of a 3 year Business Plan.
- Launch of a 2 year Action Plan based on the results of the consultations with children and young people and agencies.
- Establishment of an advisory group of stakeholders to help guide SCCYP's work on the Action Plan.
- Work to achieve the aims of the first year of the Action Plan.
- Direct engagement of children and young people in taking the Action Plan forward.
- Further awareness-raising of SCCYP and the United Nations Committee on the Rights of the Child (UNCRC), through competitions, website development and the dissemination of information.
- Development of 2 electronic newsletters to inform children and young people, and those working with and for them, of our work.
- Establishment of a Reference Group of young people to provide a sounding board and advice for SCCYP, in accordance with the Participation Strategy.
- Establishment of a Care Action Group of young people with experience of the care/"looked after" system, in partnership with the Scottish Throughcare and Aftercare Forum, to take forward care/"looked after" issues.
- Establishment of the Young People's Health Advisory Group, in partnership with NHS (Education) Scotland.
- In accordance with the Participation Strategy, greater influence of children and young people on how SCCYP communicates and works with them.
- Increase in intensity of work to audit Scotland's compliance with the UNCRC, in preparation for its submission to the UN Committee on the Rights of the Child.



Alongside this general framework, I have continued to address particular issues through informed analysis of proposals for law and policy, responding to enquiries from the public, and commenting on issues of public interest and debate. In particular, in co-operation with the Children's Commissioners from England, Wales and Northern Ireland, I have continued to advocate for the rights of asylum-seeking children, both those within families and those who arrive unaccompanied. At the annual meeting of the European Network of Ombudspersons for Children, I chaired a session that passed a Statement on the Rights of Unaccompanied Asylum Seeking Children. The human rights of children who continue to live in fear, even within our borders, must be a matter of great concern.

Sometimes I am warned off addressing issues that are too politically sensitive, either at local or national level. However, my view is that it is often where the battle is thickest that an a-political standard needs to be hoisted – the standard of the UN Convention on the Rights of the Child. Parliament has charged me with the job of reminding decision-makers of the promises made when the Convention was ratified by our country, and doing what I can to make sure they stick to them. That means putting the best interests of children at the centre of decision-making and making sure that their voices are heard above the clamour of adult war cries.

But, alongside the big issues, the "bread and butter" work has gathered speed as my office's capacity increases through experience and development. We have continued our strategy of developing tools that will allow SCCYP to do its job effectively, but that can also be made available to others. I have a duty to encourage others to respect the rights of children and young people. I have found that many people and agencies are willing in principle, but need help to embed this commitment in practice. During this year we:

- Launched the SCCYP Children's Right Impact Assessment (CRIA), a tool that has been the subject of international interest;
- Opened a "Participation Portal" on our website to help people access advice and examples of good practice about involving and consulting children and young people; and
- Commissioned a series of cartoons depicting articles of the UN Convention on the Rights of the Child with the aim of making them available free of charge to all who wish an attractive way of spreading knowledge of the Convention.

More work has been done on the Safe Active Happy Action Plan than can even be touched on in this Introduction, so I would direct you to the body of the report for information.

The mid-term "taking stock" resulted in a restructure that made the post of Chief Executive Officer redundant. I would like to thank Elizabeth Foster for her work in setting up the office. A vacant administrative post was redistributed to two part time posts, one in each of the policy and participation teams. I also began work on a more comprehensive review of the governance of SCCYP to take account of its particular legal status and explore the potential for involving children and young people even more in the office's core activities.

When the Commissioner for Children and Young People (Scotland) Bill was going through the Scottish Parliament, it was recognised that the powers might need to be revisited in the light of experience. If changes were to be made, it would make sense to do them all at once probably at the end of the first 5 year term of office. Therefore I am not making particular recommendations in this report but flagging up issues that may develop into recommendations later.

- The Commissioner's remit extends to all children and young people below the age of 18, with an extension up to 21 for those who have been "looked after" by a local authority. Since my appointment I have become increasingly aware of the problems faced by disabled young people between 18 and 21 during their transition for child to adult services. I believe it would be appropriate to extend the age limit to 21 for those with a disability.
- When the Commissioner sets up a formal investigation, this brings with it power to require the production of documents. However, there is no power to do so in other situations. It would be helpful to be able to require answers and information in other situations, for example, in order to inform a decision about whether a formal investigation should be held.

- One of the most significant issues debated during the progress of the Bill was whether the Commissioner should be able to investigate individual cases. I am keeping this matter under review. Any change to include individual cases would require additional resources.
- It would also be helpful if my remit specifically included matters reserved to the Westminster Parliament.

I would however like to make a recommendation about a more general matter. Article 3 of the UN Convention on the Rights of the Child requires legislative bodies to ensure that the rights of children feature as a “primary consideration” in all decisions concerning them. This duty extends to legislative bodies. I would like to recommend to Parliament that it makes its undoubted commitment to the Convention manifest by incorporating it into Scottish law. I referred to this in my response to the Scottish Executive consultation on the Draft Children’s Services (Scotland) Bill. However, it has wider implications and is, I believe, a proposal worthy of parliamentary consideration that would put Scotland at the forefront of respect for the human rights of children and young people. I should be very happy to help in exploring the implications.



*Commissioner and Deputy Minister for Education, Robert Brown, at the residential gathering of the Children’s Parliament.*

## **Message from Office Manager**

*Stephen Grounds*



As Office Manager, it is my responsibility to ensure the office of the Commissioner is effectively and efficiently run and organised, and that it is a safe and welcoming environment for visitors, particularly children and young people. I am also responsible for the management of the SCCYP finances on a day to day basis.

During the year, SCCYP commissioned a Risk Assessment report which focused on those risks considered to be "high" on likelihood and potential impact. This document has been subject to quarterly review by the Management Team and will be subject to annual review by all staff.

To help us keep track of the ever increasing number of electronic documents, we contracted a consultant to help develop a Records Management Policy and to advise on an appropriate Electronic Document Records Management System. Following a lengthy tendering exercise, we subsequently installed software which allows us to locate and retrieve any document both quickly and efficiently. We have also installed a remote access facility to allow staff out of the office to access their emails and files on our server. This has proved to be a useful facility which allows staff to continue to work effectively from home when required.

Work continues on the Staff Handbook to reflect best practice and a number of policies and procedures have or are being developed as the office continues to evolve. These include Corporate Governance, Scheme of Delegation, Home Working, Flexible Working, TOIL, and Performance Management. Other benefits recently introduced for staff include a Healthy Living and Well Being Allowance and an Employee Assistance programme, a free to use telephone based service which provides information, advice and personal support as required.

## **Message from the Head of Participation**

*Stephen Bermingham*



More than a third of SCCYP staff work within the Participation Team. It is our responsibility to involve children and young people in SCCYP's work. Over the last year it has been reassuring to see how children and young people are increasingly contributing and deciding on the way in which things are done in SCCYP. For example, young people select new staff, decide on our research priorities, influence the design and presentation of our publicity materials and decide on the winners for our Children's Choice Awards. We also make sure our policy work is informed by the views of children and young people; in all consultation responses we make sure that we include the views of children and young people whether ascertained by us or by others who work with them.

We have made significant investment in the establishment and training of three groups of young people who have made a massive contribution to SCCYP's work. We continue to work regularly with established groups of younger children from the Western Isles to South Ayrshire through our partnership with the Children's Parliament and have started to work with very young children.

Our baseline data tells us that levels of awareness of children's rights is low. Over the coming year we will continue to deliver a nationwide strategy for raising awareness, which will include numerous school visits and the development of materials for those working with children and young people. This report describes how we continue to monitor and improve the way in which we involve children and young people in SCCYP's work.

## Message from the Head of Policy

Maire McCormack

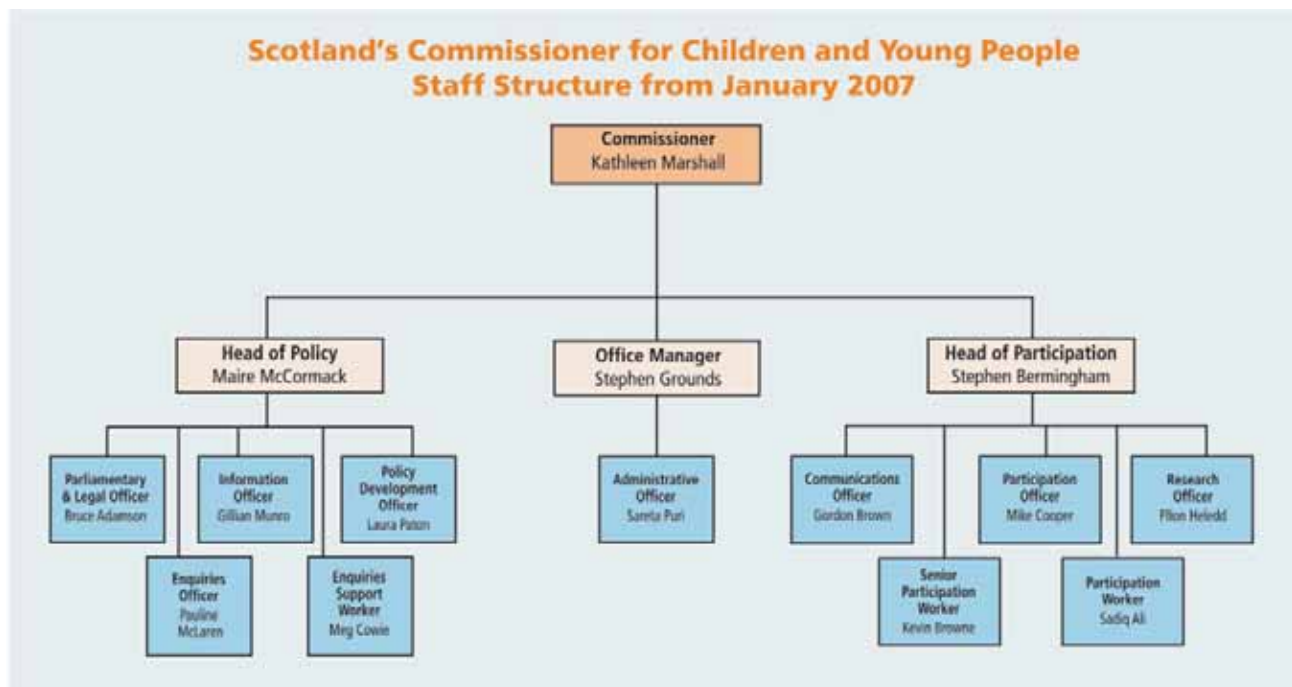


As Head of Policy for SCCYP, I work within the Policy Team to examine the impact of current law, policy and practice on children and young people. Over this past year I have been focusing mainly on taking our Safe, Active Happy workplan forward. This workplan brings together our two priorities – “Things to Do” identified by children and young people and “Promoting Proportionate Protection” – the theme chosen by agencies working with and for children and young people.

The Policy Team has worked hard to develop close and effective relationships with these bodies and agencies to increase awareness about children’s rights across the voluntary, statutory and private sectors. Their input as critical friends has proved invaluable in helping us to shape and progress our Safe, Active Happy workplan.

A key part of our work has also been to develop a structured programme of monitoring Scottish Executive Consultations, Parliamentary Bills and Inquiries to assess their compliance with the rights of children and young people, particularly as set out in the UN Convention on the Rights of the Child (UNCRC). The production of a Children’s Rights Impact Assessment model has been central to this as has a Parliamentary strategy to develop our relations with key policy makers.

The Policy Team also monitors the UN concluding observations on the implementation of the UNCRC, to assess the extent to which these have been progressed in Scotland. This will be an important aspect of our work in the coming year.





# The Commissioner's Job

## Background

In 2001, the Scottish Parliament's Education, Culture and Sports Committee set up a Children's Commissioner Inquiry and invited people to give their views about the need for a Commissioner. A special effort was made to consult children and young people. The result was a report, which led ultimately to the Commissioner for Children and Young People (Scotland) Act 2003.

## Which Children and Young People, and Which Rights?

The Act says that the basic function of Scotland's Commissioner for Children and Young People is "to promote and safeguard the rights of children and young people." This includes everyone in Scotland under the age of 18, and those up to 21 who have, at any time, been in care, or "looked after" by a local authority. The Act gives the Commissioner particular duties in relation to the UNCRC, (summarised below). The main function, however, is to promote and safeguard all rights of children and young people under national and international law, for example, under the European Convention on Human Rights.

### **The United Nations Convention on the Rights of the Child**

A Convention is a piece of international law. When states "ratify" conventions, they promise to respect them.

The Convention on the Rights of the Child was passed by the UN in 1989. The UK ratified it in 1991. This means that the Government has promised children and young people that they will:

- Be provided with the services they need to allow them to survive and develop;
- Be protected from abuse, neglect or exploitation; and
- Be allowed to participate in any decisions being made about them personally, or that will affect their lives as children or young people.

These general promises are sometimes referred to as the "3 Ps": Provision, Protection and Participation. However that is not the way they are actually described in the Convention. It is just a summary that people have found helpful. The Convention has 54 "articles." 41 of them are about particular rights such as health, education, standard of living, etc. The rest are about how the Convention is monitored. Four articles are given particular importance:

- Article 2 says the state should protect children and young people from discrimination;
- Article 3 says that decisions that affect children and young people should give primary importance to their best interests;
- Article 6 stresses the importance of rights to survive and develop; and
- Article 12 says children and young people have a right to make their views known and have them taken into account.

Every few years, the UK has to report to the UN Committee on the Rights of the Child about what it has done to turn the rights into reality. The next report is due in 2007. Once they have read the report and discussed it with government officials, the Committee sets out its conclusions and recommendations. It says what it thinks the country has done well, where it still falls short, and what should be done to make sure all rights are respected.

The full text of the Convention can be found at [www.sccyp.org.uk](http://www.sccyp.org.uk)

## What the Commissioner Must and May Do

There are many ways in which the Commissioner could promote and safeguard rights, but the Act sets out some ways in which this must or may be done. The Commissioner must:

- Promote awareness and understanding of these rights;
- Review law, policy and practice to assess whether they really respect these rights;
- Promote best practice by people or organisations providing services for children and young people (which could include services that are also provided for adults);

- Promote research on these rights, either by carrying it out herself, or through encouraging or commissioning others to do it, and publishing the results; and
- In carrying out her work, the Commissioner must involve children and young people, and consult both them and organisations working with and for them. The Commissioner must pay particular attention to groups of children and young people who do not have other adequate means by which they can make their views known.

In addition to these duties, the Commissioner may carry out formal investigations into rights issues affecting either all children and young people in Scotland, or particular groups of them. She cannot formally investigate matters that:

- Affect only one particular child or young person;
- Are “reserved” to the Westminster Parliament (see below);
- Relate to decisions made by courts or tribunals in particular cases, or cases currently being considered by a court or tribunal; or
- Are properly the function of another person and would, therefore, involve duplication.

When a formal investigation is set up, the Commissioner has powers similar to a court to cite witnesses for examination under oath and to order people to give her information. At the end of an investigation, she must submit a report to the Scottish Parliament, setting out any recommendations. The Commissioner may also lay reports before Parliament on any matter that she considers necessary or appropriate.



### **Reserved Matters**

When the Scottish Parliament was established in 1998, it was given powers to make law on a very wide range of matters. Certain matters, however, were “reserved” to the Westminster Parliament and the Scottish Parliament cannot make laws about these.

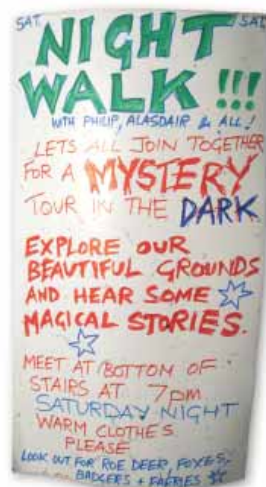
The Commissioner for Children and Young People (Scotland) Act 2003 was an Act of the Scottish Parliament. The focus of the Act is on children and young people as people rather than issues. Thus, the general duty to promote and safeguard the rights of children and young people – which has no particular legal powers attached to it – applies to all children and young people who are actually in Scotland, and to all of their rights. There is no restriction about “reserved” matters, because there are no legal powers associated with this duty.

As described above, formal investigations give the Commissioner legal powers. The Scottish Parliament cannot give the Commissioner power to do anything that it has no power over itself, so the Commissioner has no power to formally investigate matters that are reserved to the Westminster Parliament.

## Appointment and Term of Office

The Commissioner is appointed by the Queen, on nomination by the Scottish Parliament. The appointment process involved interviews with two groups of children and young people, reporting to a panel of Members of the Scottish Parliament, who made the formal selection. Their recommendation was approved by the full Parliament and confirmed by the Queen.

The Commissioner is appointed for a term of five years, after which she could be reappointed for one further term. No-one can hold the job for more than ten years.



Photographs courtesy of the Children's Parliament

## Independence

It is important that the Commissioner can be a truly independent spokesperson for the rights of children and young people. The Act says that apart from matters relating to, for example, financial accountability, the Commissioner is not to be subject to the direction or control of:

- Any member of the Parliament;
- Any member of the Scottish Executive; or
- The Parliamentary corporation.

The Commissioner is absolutely prohibited from involvement in party politics.

The Act sets out the grounds on which the Queen may remove the Commissioner from office. Before this can happen, two-thirds of the members of the Scottish Parliament present must pass a resolution for removal based on those grounds.

## Issues for Scotland's Children

This year, the UK came bottom of a league table for **child well-being** across 21 industrialised countries. UNICEF looked at 40 indicators from the years 2000 – 2003, including poverty, family relationships and health. The report made very uncomfortable reading, although further analysis showed that Scotland did significantly better than the UK score in a number of key areas. Scottish children were more likely to say they found their peers “kind and helpful”. They indulged less in risky behaviour and were less likely to report having been bullied. They ate more fruit and were less likely to be overweight. They liked school more, and were significantly further up the scale of “life satisfaction.” These adjustments take us up from the bottom of the scale and more towards the centre in many areas. We still have a long way to go and should not be complacent. Indeed this year has witnessed much media focus on bullying, binge drinking, violence and obesity. However, it does look as if, in 2003, the Scottish Executive’s efforts on healthy eating and bullying for example, were beginning to make an impact. We need to keep the momentum going!



Last year’s annual report introduced the phrase **proportionate protection** as a priority area for SCCYP. It has been interesting to watch this phrase emerge into public debate. The world is beginning to wake up to the fact that many of the practices purporting to protect children from danger are really there to protect adults from being criticised if things go wrong. SCCYP welcomed a campaign by the Health and Safety Commission that urged people to focus on real risks rather than trivial ones. Unnecessary concerns over paperwork and fear of being sued were getting in the way of opportunities for enjoyment through adventurous and challenging activities.

**Child protection** continued to be a concern of the Scottish Executive and Parliament. The Protection of Vulnerable Groups (Scotland) Bill sought to extend and rationalise the arrangements for vetting applicants for work with children and barring those who might pose a danger to them. There was much heated debate about getting the balance right between legitimate safeguards and unhelpful hurdles. The Bill was passed with modifications. In particular, SCCYP welcomed the withdrawal of a large part of the Bill that required certain people and agencies to share information about children and young people. In common with many others, we felt that the balance here was wrong and that the level of intrusion into young people’s privacy was not justified by the minimal gains that provision might achieve. In fact, the provisions were likely to have been counter-productive in dissuading young people from accessing key services.



**Asylum** and immigration have been high profile issues. While many lurid media headlines have railed against asylum seekers, SCCYP has been keen to reiterate the need to take account of the perspectives and fears of the asylum seeking families, as well as the characteristics of the asylum seeking population in Scotland. We have a higher proportion of families in Scotland and most of them have been here for several years and are now well integrated. The spectre of **terrorism** has caused much suspicion of the wider minority ethnic communities associated with Islam. It is essential that we make extra efforts to embrace those whose experience of exclusion might push them to the margins of our society.

**Climate change and the environment** have been major concerns of public debate that cannot fail to be significant for our children and young people. The UNCRC identifies "development of respect for the natural environment" as a key aim of education. This was a prophetic insight in 1989 when the Convention was

finalised. It presents challenges that our children and young people are eager to tackle. We must work with them to preserve what natural goods we have and to make them more accessible to all.



**IMPACT:** Mediating children and young people's experiences to the Home Office led to changes on the practice of immigration officers.

# The Commissioner's Activities

## **Safe, Active, Happy work**

In SCCYP's last annual report, we described the process used to determine our policy priorities for the ensuing two years. After a consultation with 16,000 children and young people and over 300 key stakeholders between November 2005 and January 2006 it was decided that two themes – "Promoting Proportionate Protection" (PPP) and "Things to Do" – would be brought together to create our "Safe Active, Happy" Action Plan. The Plan was launched in the Scottish Parliament on 4th May 2006.

## **Advisory Group**

In order to engage with the agencies and to ensure that their views help to inform the work that we do, we set up a Safe, Active, Happy Advisory Group. This comprises representatives from Children 1st, Play Scotland, The Scottish Youth Parliament, Young Scot, Fairbridge Scotland, the police and the Scottish Institute of Residential Childcare (SIRCC) as well as representatives from two local authorities. The group helps us to assess progress achieved against the Safe, Active, Happy workplan and provides advice and guidance on the future direction of activities. It also receives quarterly reports from SCCYP on the implementation of our workplan. The group has met on three occasions over the period April 2006 – March 2007.

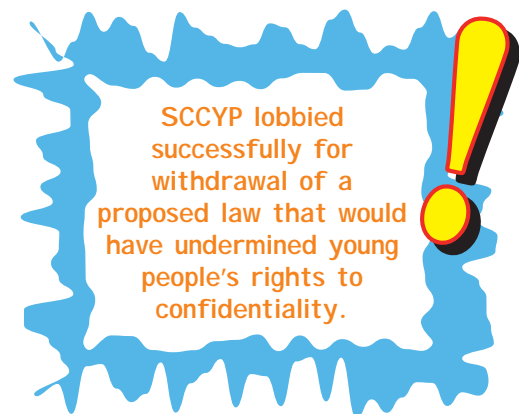
## **Safe, Active, Happy Forum**

Recognising the importance of keeping a wider constituency aware of the work we are doing, we also set up a Safe Active, Happy Forum. The Forum creates an opportunity for us to keep key organisations up to date and for them to input, comment and advise on our work. This Forum meets twice a year. Its first meeting was held on 28th April 2006, with its second on 4th December 2006.

## **Safe, Active, Happy Workstreams**

One of the goals for the first year of the Safe, Active, Happy workplan was to map out the issues and assess where SCCYP could provide added value to what was already being done. To help provide a focus for our work we identified 10 workstreams. These are:

1. **Play**
2. **Detective Kits**
3. **Schools in the Community**
4. **Child Protection Issues**
5. **Children in the Looked After System**
6. **International Exchanges**
7. **Physical Punishment**
8. **Anonymity Before Conviction**
9. **Children Affected by Disability**
10. **The Hidden Harm Agenda**



Some of these workstreams are thematic such as "Children affected by Disability" or "Children in the Looked After System." It was felt that these groups of children were disproportionately affected by the Safe Active, Happy theme and as such, merited individual workstreams.

From May 2006, our task was to map out the issues, determine which organisations were working on them and assess the level of involvement we should have. Project managers, who will shape and guide progress and report back achievements, have been appointed for each workstream. From July 2007, the project managers will set specific objectives which will be determined by the outcome of the mapping exercise in Year 1.

<p><b>Play</b></p>	<p>SCCYP is represented on the Play Policy Forum which has helped to provide an overview of the different approaches to play across the four UK jurisdictions.</p> <p>SCCYP brought the play agencies together on 13th February to discuss what value the office could bring to discussions around a play strategy and to assess the scope of research around this area of work.</p> <p>In January 2007, SCCYP commissioned Playback to undertake a small scoping study exploring disabled young people's perceptions and experiences of accessibility, availability and suitability of recreation facilities in the Edinburgh and North Ayrshire Local Authority areas. The study will be completed in June 2007.</p>
<p><b>Detective Kits</b></p>	<p>SCCYP's national consultation showed that children and young people wanted more "Things To Do." SCCYP is developing resources to help children and young people map out what is available in their area and what is lacking. The Reference Group have helped shape a "Detective Kit" for primary school children, and an activity-based project is being developed for young people. Information gleaned from these activities will help SCCYP progress "Things To Do" at national level.</p>
<p><b>Schools in the Community</b></p>	<p>Children and young people told us they wanted better access to community facilities. A lot of money is being invested in school development. SCCYP was approached by professionals from the fields of architecture, landscape design, sport, community development and the environment, concerned to ensure that this produced the best possible outcomes for children and young people. The Schools in the Community Group was convened by the Commissioner to take this agenda forward. It has met individuals and groups with an interest in school development and has opened dialogue with the Scottish Executive.</p>
<p><b>Child Protection</b></p>	<p>In December 2006, SCCYP hosted a seminar for agencies involved in the Protection of Vulnerable Groups (Scotland) Bill, the aim being to explore alternatives to the Bill's proposals. A briefing paper was circulated to MSPs after the event. The Commissioner gave oral evidence on the Bill to the Education Committee.</p> <p>SCCYP was represented on the Scottish Executive's working group to develop a draft code of practice on information sharing between November 2006 and February 2007.</p> <p>CLICP (The University of Edinburgh/NSPCC Centre for UK-wide Learning in Child Protection) is undertaking research commissioned by SCCYP which will map, review and analyse inquiries held into child abuse conducted in Scotland between 1960 and 2007. The report will be finalised in June 2007.</p>
<p><b>Children in the Looked After System</b></p>	<p>Research on the age of leaving care continued. Interviews with front line workers and young people were conducted throughout Autumn 2006 and the report writing stage commenced in January 2007. Complementary meetings took place with individual local authorities.</p> <p>A report on this issue will be laid before Parliament in Autumn 2007.</p> <p>SCCYP has also been involved in calls for guidance on police checks for overnight stays and continues to lobby the Scottish Executive to produce such guidance.</p> <p>In December 2006 SCCYP commissioned the Scottish Institute of Residential Childcare to investigate the operation of limitations, or excessive restrictions, placed on looked after and accommodated children's recreational opportunities associated with a risk-averse organisational environment. Its research will be completed in July 2007.</p>
<p><b>International Exchanges</b></p>	<p>Various discussions took place with local authority representatives to look at the guidance available on international visits and exchanges and to assess whether this was fit for purpose.</p>
<p><b>Physical Punishment</b></p>	<p>SCCYP undertook preparatory work for a major conference on physical punishment to take place in June 2007. It is designed to focus particularly on the need for public awareness and education. A DVD was commissioned to be shown at the conference but it will also contribute independently to achieving these policy aims.</p>
<p><b>Anonymity Before Conviction</b></p>	<p>A main aim of the Safe, Active, Happy Action Plan is to identify and reduce the barriers to innocent and committed adults working with children and young people. Adults are terrified of false allegations and the publicity that accompanies them. SCCYP believes that it is time to reassess the rules that allow a suspect's name to be made public before he or she is found guilty. Because this is a major issue involving matters of principle going far beyond SCCYP's interest, we have taken an opportunistic approach to pursuing this workstream. The Commissioner raises the matter whenever possible and, for example, contributed to a significant article in Holyrood Magazine on the subject.</p>

<p><b>Children Affected by Disability</b></p>	<p>SCCYP has continued and developed its earlier work on moving and handling children and young people with disabilities. Building on our 2005 report, "You Won't Die of Hunger But We Won't Lift You," SCCYP conducted a survey of local authority policy and practice. Interviews with children, young people and their carers have contributed to a new, comprehensive report that will be laid before Parliament in Autumn 2007. It will be supplemented by a DVD produced for SCCYP featuring young people affected by moving and handling issues.</p> <p>SCCYP has also provided support for the campaign "Right to a Voice" led by the Royal College of Speech and Language Therapists.</p>
<p><b>The Hidden Harm Agenda</b></p>	<p>"Hidden Harm" denotes the Scottish Executive's policy aim of addressing the serious issues raised by the impact on children of significant substance misuse by their parents. This would have been a central part of one of the alternative policy priorities consulted on by SCCYP. However it is also relevant to the promoting proportionate protection dimension of Safe, Active, Happy. The fear is that children in this situation, far from being over-protected, do not receive enough protection. Because it is not the central focus of our policy priorities, activity has been focused more on comment and supporting other agencies' initiatives.</p>
<p><b>Research</b></p>	<p>Rocket Science were awarded the contract to research adult perspectives on contact with children and young people in December 2006 and the final report is due in June 2007.</p> <p>York Consultancy were awarded the tender to evaluate the Safe, Active, Happy work in January 2006, a piece of work which will run for two years.</p>

## Research

- We established a Research Working Group to review and progress all research proposals on a quarterly basis. Two members of the Young People's Reference Group sit on this group along with the Head of Policy, the Research Officer and the Information Officer.
- Members of our three Young People's Groups attended introductory training on research.
- We commissioned questions about awareness of the office and children's rights as part of the Being Young in Scotland Survey.
- We were successful in obtaining a CASE studentship from the ESRC, in partnership with the Centre for Research on Families and Relationships (CRFR) at the University of Edinburgh. A PhD student will work jointly with CRFR and SCCYP exploring 'Antisocial behaviour and children: their spaces, relationships and interactions with formal policy'.

## Children's Rights Impact Assessment

In October 2006, we published and laid before Parliament the report *Children's Rights Impact Assessment: The SCCYP Model*. This is essentially a toolkit containing information on what assessments are, why they are necessary and how they should be carried out. It also features a set of template forms for conducting assessments.

Children's rights impact assessments are a way of looking at decisions, policies, or legislation and identifying and measuring their effect on children and young people and their rights. They allow the effect to be predicted, monitored and, if necessary, avoided or mitigated. A key feature of SCCYP's assessment model is the involvement of stakeholders in the assessment, most obviously children and young people themselves, but also those who work with and for them.


The impact assessment toolkit was developed by SCCYP as one means of fulfilling our statutory duties to promote and safeguard the rights of children and young people, and to review law, policy and practice for their effectiveness and adequacy. To this end, we have regularly carried out impact assessments on Executive consultations and Bills before the Scottish Parliament, such as the Protection of Vulnerable Groups (Scotland) Bill.

However, we also believe that the SCCYP assessment toolkit has wider application. In developing it, one of our goals was to embed children's rights in decision and policy making and, with this in mind, we are encouraging both central and local decision and policy makers to carry out their own



children's rights impact assessments. Our assessment toolkit has been designed to be flexible in the hope that it can be used by them and adapted to suit their own needs.

When published, the impact assessment report was widely disseminated amongst central government, local authorities, other public bodies and organisations working with and for children and young people. It has generated a significant amount of interest in Scotland, within the UK and internationally. We have received enquiries about the SCCYP assessment toolkit from several



**IMPACT: The Scottish Executive has tested the Children's Rights Impact Assessment and is considering how to make it available to all staff.**

countries including Ireland, the Netherlands, Bosnia and Herzegovina and New Zealand. The high level of interest shown has led to SCCYP delivering several children's rights impact assessment training and knowledge-sharing sessions to, for example, children's rights officers, local authorities and staff working for other Children's Commissioners. The Northern Ireland Commissioner for Children and Young People has already adopted the SCCYP assessment model, adapting it to suit their own needs.

The report, as well as downloadable impact assessment forms and all assessments completed by SCCYP, are available on our website at [www.sccyp.org.uk](http://www.sccyp.org.uk).

### **Reporting to the UN Committee on the Rights of the Child**

In accordance with Article 42 of the UN Convention on the Rights of the Child, State Parties must submit reports to the Committee on the Rights of the Child on the steps taken to implement the Convention. It is the Committee's role to assess the progress made by each State Party and to express any concerns it may have and make recommendations. As a State Party to the Convention, the UK's next report must be submitted to the Committee by 15th July 2007.

As well as reports by governments, the Committee also receives 'shadow' reports from non-governmental organisations and national human rights institutions such as SCCYP. The Committee believes shadow reports encourage public scrutiny of government policy and sees them as independent assessments of the progress made and difficulties encountered in implementing the Convention.

Over the last year, SCCYP has been meeting with the Scottish Executive and relevant Non-Governmental Organisations (NGOs) to discuss the reporting process and our respective roles. We have also had regular discussions with the Children's Commissioners in England, Wales and Northern Ireland. As the UK as a whole is the State Party to the Convention, we have concluded that submitting a joint report, on behalf of the four UK Children's Commissioners, is most appropriate. This joint report will comment on children's rights in the UK as a whole, as well as issues that are particular to each jurisdiction.

Most recently, SCCYP has been considering which issues to raise with the Committee in consultation with our Young People's Reference Group and, over the next year, we will continue to work with the Children's Commissioners in the UK to prepare our report to the Committee.

### **Children's Choice**

October 2006 saw the launch of SCCYP's first 'Children's Choice Award' which was run in partnership with Children in Scotland.

Although the rights of children can sometimes be portrayed as being in direct opposition to the rights of adults, there are a huge number of adults throughout the country who play a vital role in helping children and young people to have a safe, active and happy upbringing.

The award was designed to recognise the contribution of these adults and hopefully encourage even more of them to engage in healthy relationships with children and young people.

Details of the award were sent to every school in Scotland, a media release was sent to every national and local media outlet in the country and publicity was included in SCCYP and Children in Scotland's



**SCCYP makes sure the rights of children in Scotland are respected.**

Kathleen Marshall is Scotland's Commissioner for Children and Young People. The Queen and the Scottish Parliament appointed her to make sure children's rights are respected in Scotland. She has an office in Edinburgh called SCCYP where her staff work - but they also travel across Scotland to meet children. If you have an issue about children's rights not being respected, or if you just want more information, you can write to Kathleen, or phone or e-mail and she will listen to what you say and try to help.

**A Right to have Fun!**

Everybody wants to keep children safe - and that is quite right. If a child has had an accident - on a school trip for example - it is right that people should try to learn from it to try to stop it happening again. However, children also need to be able to have fun, and it isn't possible to avoid all accidents. SCCYP wants to make sure that the rules about play and exciting things to do are not so complicated that they stop children having fun and doing adventurous things.



**Caring for Asylum Seekers**



Asylum seekers are people who flee to another country because they say they are not safe in their own country. The government listens to them and decides whether they can stay. There are lots of children in Scotland who have been here for 5 or 6 years waiting

**Want to be a SCCYP Detective?**

Children told SCCYP they wanted more things to do. Next year we will be launching an exciting project called the 'Detective Kit' which you will be able to carry out in school. This will let you help us try to make things better. Watch this space ... if you are interested in the Detective Kit, why not ask your teacher to contact SCCYP for more details?

for a decision. Many of them have forgotten what it was like in their home country and may not be able to speak the language. If the government decides they cannot stay here and forces them to go back, children can be very scared. Their friends are often worried too, especially if they turn up at school one day to find that their classmate has been sent from Scotland and will not be back. Sometimes children and their families are locked up while the government arranges for them to leave the country.

SCCYP thinks this is not right. We listen to children and tell the government what the children are saying and feeling. As a result of this, the government has made some things better, but it is still a worrying time for asylum seekers and their friends.

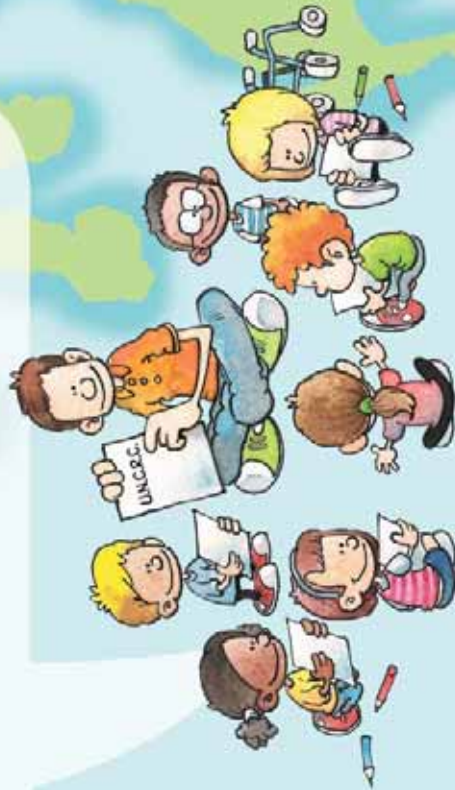
#### The UN is Working for You!

Have you heard about the UN Convention on the Rights of the Child?  
If not, then read on ... this is really important for you.

The United Nations (called the UN) represents most governments in the world. They passed a law called the Convention on the Rights of the Child which says you have rights to be protected from all kinds of danger, to be given what you need to grow up safe, healthy and happy, and to have a say in decisions that affect you. Read all about it on the SCCYP website. We will be publishing cartoon pictures of all the rights you have.

Every few years, the government has to tell the UN how it is getting on with respecting the rights of children. SCCYP tells the UN how well it thinks the government is doing, and then the UN then says whether it thinks the government is doing well or needs to do more. The next time this happens will be in 2008.

If you want to say what you think about children's rights in Scotland, contact us or send an email to [yoursay@scryp.org.uk](mailto:yoursay@scryp.org.uk)



#### Your Chance to Vote!

Is there an adult in your life that has done some special things to support you at school or in every day life? It could be somebody who looks after you, a parent, a volunteer or anyone else that has helped you or other children? SCCYP and an organisation called Children in Scotland are running the Children's Choice Award 2008. You can nominate adults to receive the award, and a group of children will choose who wins it. This will help us to thank the adults who work to keep children and young people safe, active and happy. Log on to [www.childrenschoiceaward.co.uk](http://www.childrenschoiceaward.co.uk) to find out more



#### HOW TO CONTACT US



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CHILDREN AND YOUNG PEOPLE  
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EDINBURGH  
EH8 3AU

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website and newsletters.

Nominations could only be made by young people under 18 and judging for the award was done by children and young people from the Children's Parliament and SCCYP's Reference Group.

The winner was Tracey Armstrong, Manager of the Borders Voluntary Youth Work Forum.

Tracey's nomination form read: *"Tracey has been instrumental in changing the way children's services are run in the Borders. Her resounding efforts over the last several years have vastly increased the opportunities available to young people in the area, and she has played a key role in setting up many youth led initiatives."*

*"What makes Tracey's work unique is that she strives to involve young people in the decisions made about them, rather than doing it for them. Giving us this responsibility means that we can make the decisions that will change things for the better, rather than waiting and relying on adults to do it for us. This responsibility and trust has hugely helped with countless people's self-esteem and confidence."*

Tracey commented: *"The Children's Choice Award is a huge honour for me, especially because children and young people made the decision. There can be no greater recognition of my work than that. I am passionate about young people and enjoy being with them so much and it never really feels like 'work'."*

## Other Work

The Commissioner also:

- Commissioned a background paper on the rights of the children of prisoners to provide a basis for future work;
- Commenced work on the rights on children under 16 held in adult prisons; and
- Met representatives of the children of travelling showpeople and engaged in correspondence with the Scottish Executive about their rights.



Children's Choice Award 2007; Winner Tracey Armstrong with two of the young people who nominated her.



*"The Children's Choice awards have been a very positive opportunity to recognise the children throughout Scotland who have been made to feel valued, secure and happy through the presence of a caring and engaged adult in their lives."*

*"These awards celebrate the mutual benefit of healthy relationships between adults and young people, and highlight the many important contexts in which young people feel supported, encouraged and respected."*

Children in Scotland Chief Executive,  
Bronwen Cohen

# The Participation Strategy

SCCYP's first Participation Strategy was laid before Parliament on 17 January 2006 and is available on [www.sccyp.org.uk](http://www.sccyp.org.uk). It is currently being revised in consultation with children and young people. A new version should be available at the end of October 2007.

The participation of children and young people is one of the most important parts of SCCYP's work. The following core principles are central to the strategy:

- Participation is a visible commitment that is well resourced;
- Children and young people's involvement is valued in all areas of SCCYP work;
- Children and young people are integral to decision-making structures;
- All children and young people have equal opportunities to participate, with additional resources allocated to involve harder to reach groups;
- Policy priorities are informed by the views of children and young people, and shaped by the UN Convention on the Rights of the Child;
- Participation is continually monitored, evaluated and improved.

The table below summarises progress in 2006-07 and plans for next year.

Area of work	Progress	Aims for 2007/8
Young people's area in the office	The area was designed with input from children and young people.  Pre-school children have helped plan a "wishing door" to lead to a "wishing tree" in the children's area	An increase in visits from children and young people. The creation of a wishing tree will allow children to tell us about their wishes and aspirations.
Publications	SCCYP major publications (annual report, participation strategy) are produced in styles appealing to children and young people. Children and young people are involved in the design of our publications. Basic information is translated into minority languages, large font, audio and Braille.  Children and young people helped select an illustrator to produce two cartoon versions of the UNCRC.	Continue core work with children and young people.  More work with young people with additional communication needs to ensure our publications are accessible.  Make the illustrations available to external agencies to help promote children's rights
Early Years Work (0 to 4 years)	A member of staff has a placement in an early years setting. We have established links with early years practitioners to inform our work.	Identify a further placement for SCCYP staff in an early years setting. Develop networks with practitioners.
Consultation Groups (5 to 13 years)	SCCYP established a partnership with the Children's Parliament and provides ambassadors to their groups in Midlothian, South Ayrshire and the Western Isles. They have been involved in recruitment, testing out the SCCYP website and publications, and have contributed to SCCYP events. We supported their event and exhibition Our Journey – Our Voices – Our Future, held in the Parliament.	Continue work with Children's Parliament, support the creation of new groups in Edinburgh and Fife, and increase their involvement in SCCYP's policy work.  Explore Swedish model of 'contact classes' to help access children's views.
Reference Group (14 to 21 years)	12 young people were recruited through open advertisement and interview. They first met in September 2006. They have made significant contributions to: responses to Scottish Executive and Parliament consultations; work on SCCYP's Safe, Active, Happy Action Plan; staff recruitment; and commissioning and monitoring research.	Learn from the first year and consult the group about future development, including a possible governance role.  Commission an independent evaluation, with involvement of group members.  Embed the group in the work of SCCYP and strengthen relationships with the other SCCYP groups and groups from other Children's Commissioners' offices.

<p><b>Care Action Group (14 to 21 years)</b></p>	<p>8 young people were recruited with support from the Scottish Throughcare and Aftercare Forum. Members have taken part in training, teambuilding and consultation responses and have set their own priorities. They made a significant contribution to SCCYP's work on leaving care.</p>	<p>Increase the level of SCCYP support offered to members.</p> <p>Recruit new members through existing networks and organisations.</p> <p>Strengthen relationships with the other SCCYP groups and groups from other Children's Commissioners' offices.</p> <p>Help the group take forward its priorities.</p>
<p><b>Young People's Health Advisory Group (14 to 21 years)</b></p>	<p>8 young people were recruited in partnership with NHS Education for Scotland. They have identified their priorities and been involved in a number of projects and initiatives, including training for medical personnel, design of new hospitals and consultation responses. They have linked with other young people's groups and met key decision makers.</p>	<p>Firm up a number of concrete projects.</p> <p>Commission an independent evaluation , with involvement of group members</p> <p>Strengthen relationships with the other SCCYP groups and groups from other Children's Commissioners' offices.</p>
<p><b>Children's Choice Awards</b></p>	<p>We have successfully run the first Children's Choice Awards with support from Children in Scotland</p>	<p>Repeat and develop the Children's Choice Awards. Explore identification of a national media partner.</p>
<p><b>Promoting rights</b></p>	<p>SCCYP staff have delivered a number of workshops for young people from across Scotland.</p> <p>SCCYP have worked with Young Scot e-Roadshow team to delivery a series of four roadshows in Glasgow Secondary Schools.</p>	<p>Publish a series of children's rights workshops for dissemination to practitioners.</p> <p>Explore collaborative work with UNICEF Rights Respecting Schools programme.</p> <p>Set specific targets for contact with children and young people from across Scotland.</p> <p>Continue work with Young Scot and explore sponsorship of their national Young Scot Magazine produced in partnership with the Daily Record.</p> <p>Consider support for the National Youth Parliament Competition organised by the Citizenship Foundation.</p> <p>Identify young people with additional needs for work experience placements at SCCYP.</p>
<p><b>Children's Rights Officers</b></p>	<p>Collaboration with Scottish Children's Rights Officers Group to share information and raise awareness of our work.</p>	<p>Continue and develop this collaboration.</p>
<p><b>Detached Youth Workers</b></p>	<p>Jointly hosted our second national event in collaboration with YouthLink Scotland.</p>	<p>Organise a similar event to develop their relationship with SCCYP.</p>



### Participation Portal

In response to an increase in enquiries and requests for resources to help workers engage with children and young people, we have created a Participation Portal. This is an extensive online resource that signposts, details and recommends publications and case studies for involving children and young people. During 2007/2008 we will continue to update and develop this and profile Scottish case studies of good practice for the participation of children and young people.

# The Participation Workers

## Kevin Browne . . . .



My role within SCCYP is to directly engage with children and young people from across Scotland, ensuring that their views are being heard and that they are aware of the United Nations Convention on the Rights of The Child. I have been lucky enough to have become a permanent member of staff at SCCYP which is fantastic considering I was initially on an 18 month contract. This has given me the opportunity to pursue and continue building on previous projects which I have been involved in.

The past year has been a busy and productive one for me and the participation team.

We once again linked up with Young Scot to raise awareness of children and young people's rights. I had the privilege of leading on this project and the aim of it was to reach as many young people as we could in the 4 schools that we visited in and around the Glasgow area. 475 young people took part in the workshops, the feedback we received from the young people was very positive and it also highlighted the level of the young people's knowledge about the UNCRC. Out of the 318 feedback forms we received, 258 young people did not have any previous knowledge about the UNCRC. The workshops were designed to be interactive, educational and fun and the feedback reflected this with 262 young people saying they enjoyed the workshop. The workshops looked at the differences between wants and needs and explored the role of SCCYP, the importance of the UNCRC and the importance of young people knowing their rights. Projects like this are extremely demanding but at the same time very exciting and invaluable. It ensures that we are keeping young people at the heart of our work and that we are constantly improving our approach in engaging with young people.

Another piece of work that I have been involved in is the leaving care project which explored the reasons why young people are leaving the care system at 16. This project involved speaking to young people and frontline workers from across Scotland about their experiences of young people leaving the care system at 16. This project was a real eye opener and it made me realise how important it is for young people who have experienced exclusion to know their rights and more importantly how to exercise them.

Following on from the leaving care research, SCCYP and Who Cares? Scotland created a leaflet for young people who were thinking of moving on. This leaflet is designed to inform the young people about their rights when moving on and to also encourage them to think about staying past 16. The leaflet is due to go national in July 2007 after being piloted in three local authorities.

During all of these pieces of work I have been out and about delivering presentations and delivering children's rights workshops on request. Over the past year I have been able to meet workers and young people from across Scotland listening to their views and opinions, which has been invaluable in shaping my work and more importantly the work of SCCYP.

## Sadiq Ali . . . .



I used to volunteer for Youngedinburgh through Project Scotland Volunteering and found I really enjoyed working with children and young people. That's why when I saw the post of Participation Worker I just had to go for it. Well that and the fact they said no qualifications were required, I realised this was a one off opportunity for someone having recently left high school!

Now as a Participation Worker, I raise awareness of Children's Rights and the United Nations Conventions on the Rights of the Child with both adults and young people alike. To do this I get to be involved in some amazing opportunities! One thing I do to help children and young people know their

rights are workshops. This is basically me going out and meeting with a group to teach them what I know – sometimes they know more than me! One of my first projects was to work with the SCCYP team to design a range of workshops that would teach people about rights and what they mean to them, while making it fun to learn about. Having these lets me go to schools, youth groups and different events all around the country to spread the word on children's rights. It was so nerve wracking the first time I had to do one! Now that I've done a few though it gets easier each time and as such it's greatly increasing my self-confidence

I've also represented SCCYP at a range of events. The one that sticks in the front of my mind are the Young Scot Awards. I was really lucky to be given a seat at the event this year, seeing so many young people contributing to their communities in such inventive ways. It was something I won't be forgetting any time soon. What's great about being a Participation Worker is that while I'm helping others I'm also helping myself! Sounds greedy eh? In all seriousness though, SCCYP has given me the opportunity to experience a range of training that helps both in my own development and in making me more effective in my work as a Participation Worker. Some of the training I've done has been around children's rights, first aid, child protection, photography as well as a distance learning college course that I'll be starting shortly! The great thing about all of this is that while the training helps me in the work I do, it will also help me in where I want to go next.

I've only been in this post for a short amount of time but feel that I've accomplished a great deal already. Best of all I'm getting to experience what it would be like to have a career in an area such as this further down the line.

Bring on whatever's next!



Photographs courtesy of the Children's Parliament

The Children's Parliament Groups taught SCCYP about play!

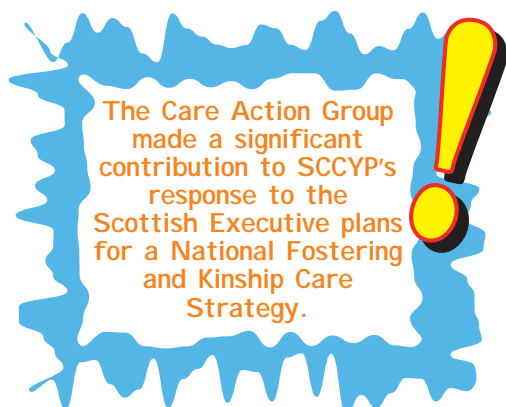


# Young People's Groups

## Care Action Group

The duties of Scotland's Commissioner for Children and Young People extend to age 21 for those who have been "in care" or "looked after" by a local authority. The Care Action Group was formed to help inform SCCYP of how best to meet the needs of this particular group.

In October 2006 eight young people aged between 14-21 were appointed to the Care Action Group. The members have diverse experiences of living in care (residential care, foster care, secure care or respite care) and are familiar with issues in and around the care system. SCCYP worked in partnership with the Scottish Throughcare and Aftercare Forum to establish the group.



*My name is Stephen Knox and I've been involved with the Care Action Group since October 2006. We have met 4 times now to look at the issues for young people in care.*

*We have learnt about how laws and policies are made by the Scottish Executive. This was interesting for me because I have always been interested to find out how the policies and laws relating to the care system are made up. I hope the Care Action Group can have a say in some of the new policies and laws because we have all had good and bad experiences with the care system.*

*From being involved in the group so far I have realised there are lots of issues for young people in care but also that there is only so much that we can work on as a group. We spent the first few sessions choosing 3 big issues for young people in care that we want to work hard on. These are:*

### **Stigma of being a young person in care**

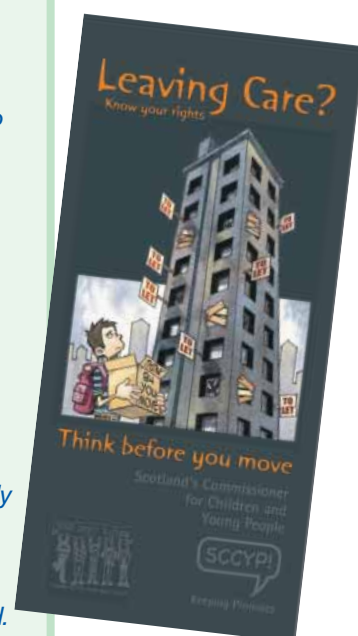
*We want to highlight that young people are in care for lots of different reasons and not because they have been in trouble. By doing this we want to change people's attitudes about young people who are in care.*

### **Consistency**

*One of the most annoying things for me when I was in care was that as soon as I got on with a member of staff they moved on and I had to start from scratch. When this happened it was like my life was like a scratched record and things would just go round in circles. It was so frustrating. We want things put in place so that when a new member of staff meets a young person they can pick up where the old member of staff left off. Information should be really well recorded and meetings should be held with the old worker, new worker and the young person to make sure that the change goes as smoothly as possible.*

### **Our future**

*Usually young people leave care without knowing what their rights are and without the support they need to cope living on their own. I know lots of people who have just drifted. They leave care and party in their flat for a while but then they're not able to cope with paying bills, going to job interviews and so on. In the end they feel trapped and they're not able to find a way out of their situation. We want to raise awareness about this kind of thing and make sure that everyone is giving young people who leave care the information and support they need to make sure they have the same opportunities as all young people. I'm looking forward to being involved with the Care Action Group and working on some projects to look at these issues. From being in the group so far I feel better in myself. I really care what happens to young people in care because I know what it's like. I've had good and bad experiences and I hope that I can use these to make changes for young people in care today and in the future. That's the main reason I got involved – if we can improve things even just for one young person who lives in care then it will all be worth it for me.*



## Reference Group

In Autumn 2006 SCCYP appointed 12 young people, aged between 14 and 21 to our Reference Group to advise us on all aspects of our work – from how best to get our message across to what those messages should be.

The main responsibilities of the group are:

- to act as a sounding board for SCCYP;
- to promote the rights of children and young people throughout Scotland by supporting the work of SCCYP; and
- to contribute to the overall work of SCCYP, including helping to drive forward the Safe, Active, Happy initiative and developing creative and imaginative ways to promote the work of SCCYP.

*I'm Karen Sutherland from the Reference Group. The Reference Group began in 2006. The Group is made up of young people all across Scotland. Since I first started I have got to know everyone really well and the 12 of us have worked together really well.*

*As a Reference Group we work alongside the Commissioner and the staff of SCCYP, looking at different policies and issues facing children and young people. During my time within the Reference Group, the work around publicising and raising the profile of the Commissioner's office and the work they do has been the most interesting for me personally, as my background is working in media. I have also enjoyed this as it has also allowed us to have input into a lot of different areas, ranging from the website to the design of the publications. Personally this has made me feel valued as we are helping to get the message right and telling those children and young people, who might not know that the Commissioner is there, that there is someone working closely with Parliament and other bodies to represent their views and rights. We meet as a Group every three months, a mixture of day meetings and residentials, which are held in different places throughout Scotland, including, Edinburgh, Stirling, Perth and the up-and-coming residential in the Borders, in which we discuss a variety of issues including work being carried out by SCCYP, for example a conference on Physical Punishment which members of the Reference Group helped to organise and were consulted about with one member even co-chairing the conference.*

*There have also been opportunities for members to get involved with the work of the Commissioner, myself for example, I have been involved in the research group and input in the media element by taking part in workshops, this has given me new skills and confidence talking in groups, as well as being able to understand more about how to conduct a research project. This has really helped with university work – I hope to continue this. And with the support of the staff at SCCYP some individuals are hoping to take part in a Young Researchers' project.*

*My most memorable moment in the Group was when we were reading up about the different Commissioners within the UK. I like this because it allows us to see what other Reference Groups have done and we could share ideas. It also allows us to see how much work and things we as a Group had achieved. As a Group we are also agreed that the most important thing is that we actually make a difference and we have serious input. This is something that all members feel passionate about and we are working together to look at projects and aims that this Reference Group can work on.*



SCCYP Reference Group

**IMPACT:** The Reference Group's work on information sharing helped SCCYP challenge a Bill that may have undermined confidentiality.

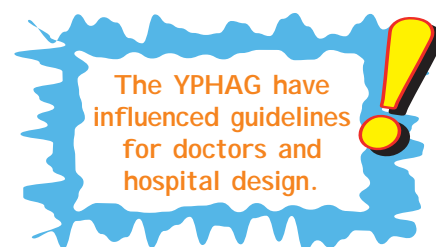
## Young People's Health Advisory Group

The Young People's Health Advisory Group was set up, in collaboration with NHS Education Scotland (NES), to enable young people to support and influence the health services across Scotland.

NES is a Special Health Board responsible for the training and education of Scotland's healthcare workforce, to help improve health services for children and young people in Scotland. We have appointed eight young people aged 14-21 to work with us in a new Young People's Health Advisory Group.

The main responsibilities of the group are:

- to keep up to date with NHS policies which relate to children and young people;
- to provide advice to NES, the Scottish Executive Health Department and SCCYP on engaging with children over healthcare policies;
- to contribute to working groups; and
- to help us gather the views of other children and young people.



*I am Fiona Kane and I am a member of the Young People's Health Advisory Group. There are eight of us in this group ages ranging between 14 and 19 years and we come from all over Scotland. After interviewing children and young people from all over the country the group was set up last year for an initial period of 2 years. We look at policies and issues in relation to children and young people and see how we can change and improve them.*

*I was very excited when I found out about the group and to be offered an interview since having a physical disability myself I have first hand experience of hospitals and all the medical facilities available for children and young people. My own experiences in hospital made me more determined to be included in the group as I feel there is much to be improved upon regarding children and young people's experiences within the health service in general.*

*I was very nervous during the interview but there was really no need as everyone was so friendly and informal. I*

*was ecstatic when selected to become a member of the group. The group meets every second month. The first meeting was fun as everyone had to get to know each other. We did this through some ice breaking games that the guys from SCCYP and NES taught us. We now do ice breakers at the start of each meeting to relax us – but it really just makes us laugh!*

*The Health Group has six meetings a year over two years. So far we have made children and young people's mental health issues our top priority as we feel that the stigma surrounding mental health is getting worse and people in general do not feel free to talk about their mental health. Many members of the group are in other sub groups. I am also involved in a transition group along with another two group members called Stuart and Jamie. The transition group deals with transferring of children and young people from children's hospital to adult hospital. I am also involved with an age appropriate care group together with Heather from our group. This focuses on issues surrounding adolescent wards and facilities for teenagers in hospitals.*

*Being in these other groups benefits all groups as we are able to discuss issues with the various children and young people that we meet with through SCCYP and NES and we are able to offer feedback to the groups on the views of children and young people.*

*I absolutely love working with SCCYP and NES as the rights and health of children and young people are very important to me. I am close to my group members and we keep in regular contact by email and mobile. We are all grateful and excited that we can present children and young people's input into policies and issues which affect them. I am also learning so much more about the media, children and young people's rights and policies through my training with SCCYP. I hope to cooperate fully and put into good practice all the things I am learning through the group. I hope to go to university this year and aim to have a career in the human rights area.*

## SCOTTISH PARLIAMENT

### REPORTS LAID

#### **Children's Rights Impact Assessment: The SCCYP Model**

October 2006

#### **Scotland's Commissioner for Children and Young People Second Annual Report 2005–2006**

November 2006

### WRITTEN EVIDENCE

#### **Family support services inquiry**

5 May 2006

Response to the Justice 1 Committee inquiry into the delivery of family support services in Scotland.

#### **The Adoption and Children (Scotland) Bill**

11 May 2006

Response to the Education Committee on the Adoption and Children (Scotland) Bill. The Bill restated and amended the law relating to adoption and made other provisions in relation to the care of children.

#### **Age Taking Stock**

30 June 2006

Response to the Equal Opportunities Committee inquiry on age issues. The inquiry particularly focused on the discrimination based on age and the priorities for the next Parliamentary session.

#### **Scottish Parliament Justice 2 Sub-Committee**

##### **Justice System (Child Sex Offenders)**

5 September 2006

Response to the Justice 2 Sub-Committee Inquiry into issues concerning the monitoring, housing and disposal by the courts (including sentencing) of child sex offenders.

#### **Scottish Parliament Petitions Committee**

##### **Petition PE913 – To Play or Not to Play**

20 October 2006

Response to the Petitions Committee in relation to a petition from Debbie Scott. The Petition called for the Scottish Parliament to urge the Scottish Executive to adopt a Play Strategy that recognises the right of all children in Scotland to a safe, accessible and challenging play environment.

#### **Consultation on the Schools (Health Promotion and Nutrition) (Scotland) Bill**

1 November 2006

Response to the Communities Committee on the Schools (Health Promotion and Nutrition) (Scotland) Bill. The Bill made provision for the promotion of health in certain schools and school hostels and amended the law in relation to the provision of food and drink for certain pupils. It stated in law that a central purpose of schooling is health promotion in the widest sense and made this a legal duty on Scottish Ministers and local authorities.

#### **Protection of Vulnerable Groups (Scotland) Bill**

14th November 2006

Response to the Education Committee on the general principles of the Protection of Vulnerable Groups (Scotland) Bill. The Bill set the framework for a new Vetting and Barring Scheme for people seeking work with children or 'protected' adults.

## SCOTTISH EXECUTIVE

#### **Protecting Vulnerable Groups: Scottish Vetting and Barring Scheme**

May 2006

Response to the Scottish Executive's call for views on proposals for a new vetting and barring scheme for people seeking work, whether paid or unpaid, with children or vulnerable adults.

#### **Delivering a Healthy Future: An Action Framework for Children and Young People's Health in Scotland**

July 2006

Response to the Scottish Executive's call for views on the action framework for Scotland. This brings together in one place the principal challenges facing children and young people's health and services and the action required by health providers and others to address them.

#### **Improving the Health and Nutrition of Scotland's Children**

##### **Consultation on the Schools (Nutrition and Health Promotion) Scotland Bill**

31 July 2006

Response to the Scottish Executive's call for views on the proposed Schools (Nutrition and Health Promotion) (Scotland) Bill. Much of this Bill built upon earlier initiatives such as "Hungry for Success" and replaced earlier guidance and recommendations with legal duties.

#### **Transforming Public Services: The Next Phase of Reform**

October 2006

Response to the Scottish Executive's call for views on the reform of public services and ways in which public services may be more effectively delivered to children and young people.

#### **Youth Work: Opportunities for All, A Consultation Paper to Inform a National Youth Work Strategy**

November 2006

Response to the Scottish Executive's call for views on youth work services and opportunities. This then fed into the development of a National Youth Work Strategy.

**Scottish Planning Policy 11: Physical Activity and Open Space**

November 2006

Response to the Scottish Executive's call for comments on national planning policy for sports and recreation in urban and rural settings.

**Significant Incident Review Guidance**

November 2006

Response to the Scottish Executive's call for comments on draft guidance on certain incidents surrounding a child's death, injury, abuse or neglect.

**Scottish Executive Consultation on Direct Payments: New Draft Policy and Guidance**

December 2006

Response to the Scottish Executive's call for comments on new draft guidance on direct payments which may be used by certain categories of people to buy community care and children's services that they are assessed as needing.

**Consultation on National Fostering and Kinship Care Strategy**

February 2007

Response to the Scottish Executive's call for comments on the development of a National Fostering and Kinship Care Strategy.

**UK Report to the UN Committee on the Rights of the Child: Draft Scottish Contribution**

February 2007

Response to the Scottish Executive's call for comments on its draft contribution to the UK government's report to the UN Committee on the Rights of the Child. This report identifies the progress made by the UK in implementing the UN Convention on the Rights of Child.

**Guidance on the Circumstances in which Parents May Choose to Educate Their Children at Home**

February 2007

Response to the Scottish Executive's call for comments on the guidance produced in 2004 on the circumstances in which parents may choose to educate their children at home.

**Draft Children's Services Bill**

March 2007

Response to the Scottish Executive's call for comments on the draft Bill which was part of the wider GIRFEC (Getting It Right For Every Child) initiative. The draft Bill contained two parts, the first dealt with a framework of duties on agencies and the second provided more technical reforms to the Children (Scotland) Act 1995.

**WESTMINSTER**

**Westminster Joint Committee on Human Rights: Survey of the Role of UK Children's Commissioners**

31 May 2006

Response to the Joint Committee on Human Rights of the Westminster Parliament to highlight and explain the work of the four UK Children's Commissioners.

**Poverty in Scotland: Inquiry by the Scottish Affairs Committee**

19 October 2006

Response to the Scottish Affairs Committee of the Westminster Parliament on their inquiry into Poverty in Scotland. The inquiry sought to address such issues as: what is poverty, the extent of poverty, contributing factors, and the impact of Government policy on poverty.



# Enquiries Update

Contact with the SCCYP Enquiries Service has seen steady growth over the past year, with enquiry numbers rising from a total of 391 enquiries (April 2005 to March 2006) to 524 in this financial year.

The Commissioner's remit does not extend to directly intervening in individual cases, but she continues to be committed to providing a high quality information and signposting service to those contacting her office. Enquiries are regularly received from parents, family members, social workers, Children's Rights Officers and children and young people themselves, amongst many others.

Significant improvements to the service have come about this year with increased usage of CHAS, our dedicated enquiries-handling software.

This has enabled us to log and categorise all enquiries received by SCCYP. We can then use this information to build up a picture of the issues most important to children and young people across Scotland, picking up on emerging trends and helping to shape our policy priorities.

This year, we have also provided a monthly update of enquiries received by SCCYP on our website and through SCCYP Matters, SCCYP's regular newsletter for those working with children and young people, and the SCCYP E-zine, which is distributed to children and young people. (All enquiries are anonymised).

Enquiries received this year have continued to be hugely diverse:

## Examples of Enquiries

- A looked-after young person asking how best to access their social work files.
- A grandparent, concerned her grandchild was working in a busy café all day Saturday – but was not receiving the rest breaks she was entitled to.
- A mother, trying to ensure her disabled son's views were properly taken into account when a decision was being made about which day centre he should attend after leaving school.
- A young person pushing for schools to be more inclusive for young people on the autistic spectrum.
- A parent wanting to know about where to find information on teaching his son money management skills.
- A voluntary organisation changing their client group and trying to find examples of young person friendly confidentiality policies.

A number of key issues have emerged over the year, including:

- issues around education (in particular, around exclusion, bullying by pupils, bullying by teachers, help for children with additional support needs, school transport).
- issues around family separation (including younger children having a say in court, accessing their own solicitors, not feeling listened to etc.).
- issues around looked-after children (including young people clarifying what their rights are, cross-border residential placements, leaving care).

*"Thanks so much for looking into this for us. It doesn't matter how long it takes, to have someone from the Children's Commissioner's office taking an interest and listening to us is brilliant!"*

Parent

*"J. and I are very grateful for all the help and support you have given us over this matter. We would like to send you a great big THANK YOU from both of us"*

Parent and young person

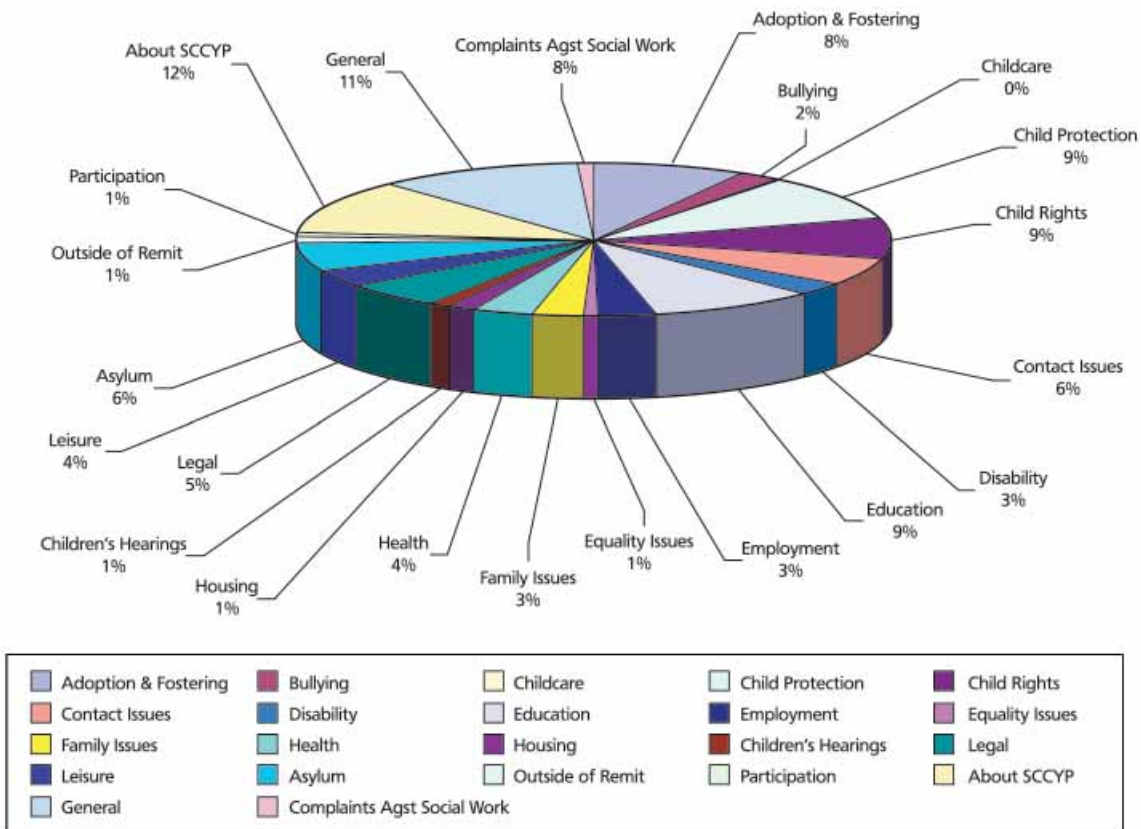
The SCCYP Message Board has continued to provide a means of gauging young people's opinions on a range of topics, including:

- communal changing rooms in schools;
- minimum wage for under-16s;
- finger-printing to borrow a library book; and
- proposed increase in age for buying cigarettes.

Towards the end of the year, the Enquiries Service welcomed a new staff member on board. Meg Cowie is the new part-time Enquiries Support Worker. Her role is designed to complement that of the existing Enquiries Officer and increase SCCYP's capacity, ensuring that enquirers continue to receive a prompt and professional service whenever they make contact with SCCYP.

*"Thank you for taking the time to speak to me today - it was much appreciated."*

Family member



**Enquiries Received by SCCYP (2005-2006) = 312**

**Message Board Contributions (2005-2006) = 212 (not represented on chart above)**

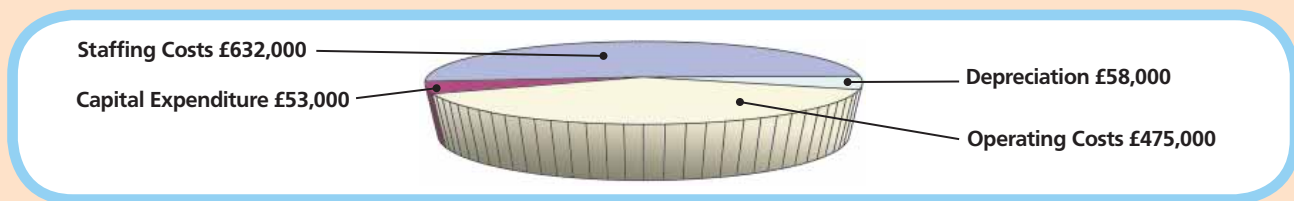
**Total Enquiries = 524**

## The Financial Position

The Commissioner's expenditure on operating activities for the year ended 31 March 2007 totalled £1,165,000. A further £53,000 was spent on capital additions, including fixtures and fittings to fit out the area specifically for children and young people (£27,000), IT equipment and software for an electronic records management system and improved remote access (£24,000) and leasehold improvements (£2,000).

The Commissioner is funded through the Scottish Parliamentary Corporate Body (SPCB) and, for financial year 2006–07, a budget of £1,242,000 was agreed, including £30,000 for capital expenditure. The Commissioner's expenditure at £1,152,000 excluding notional costs of depreciation (£58,000) and cost of capital (£8,000) represented an underspend of £90,000 due to an underspend on research and related activities due to the time required to set up projects in conjunction with other bodies.

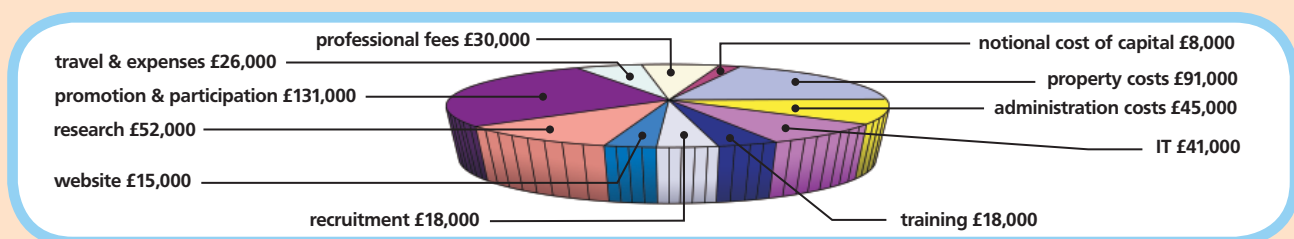
### SCCYP Net Expenditure 2006–07: Total £1,218,000



Source: SCCYP Accounts 2006–07

The chart below illustrates the cost of operating activities by category of expenditure. Excluding staffing costs of £632,000 and depreciation of £58,000, other operating expenditure amounted to £475,000, of which Property (19%) includes all rent, rates, energy costs, property insurance, repairs, maintenance and cleaning. Administration (9%) includes all normal office running costs, for example, stationery, postage, telephones, photocopying, printing, equipment maintenance etc. Recruitment (4%) includes costs for advertising and venue hire for one post and Training (4%) includes investment in both the individual and staff teams. Travel and expenses (5%) includes costs incurred both by the Commissioner and the SCCYP staff team. Promotion and Participation (28%) includes all activities, for example, publicity, promotion and participation, undertaken in fulfilment of the general function of the Commissioner, which is to promote and safeguard the rights of children and young people, and is expanded elsewhere in the Annual Report. Research (11%) includes a number of projects related to the Safe, Active, Happy programme and a YouthLink Survey which was undertaken on "Being Young in Scotland". IT (9%) includes the introduction of an Electronic Records Management System to ensure compliance with the s61 Code of Practice and costs of IT support and maintenance. Website development and maintenance (3%) includes continued development of the SCCYP website as a major interactive tool for communicating with children and young people. Professional fees (6%) include the costs of payroll support, legal and audit accountancy, along with the engagement of two consultants to develop the Records Management System and additional child protection training respectively. Notional cost of capital accounts for 2%.

### SCCYP Operating Activities 2006–07: Total £1,165,000



Source: SCCYP Accounts 2006–07

A full copy of the Annual Accounts 2006–07 can be obtained on request at the SCCYP office and are printed in full on [www.sccyp.org.uk](http://www.sccyp.org.uk)



# Legal Compliance

The table below shows where this Annual Report addresses issues related to each of the Commissioner's functions.

Function	Place in Annual Report
Review issues relevant to children and young people during the year.	Issues for Scotland's Children, pages 10 – 11.
Promote and safeguard rights.	The Commissioner's Activities, pages 12 – 18.
Promote awareness and understanding of rights and of the Commissioner's office. Consult children and young people and involve them in the work of the Commissioner. Produce a participation strategy and keep it under review.	Introduction, pages 2 – 4.  Message from Head of Participation, page 5. The Participation Strategy, pages 19 – 20. The Participation Portal, page 20. The Participation Workers, pages 21 – 22. Young People's Groups, pages 23 – 25.
Pay particular attention to groups of children and young people who find it difficult to have their views heard.	Asylum: Issues for Scotland's Children, page 11.  Disability: Introduction, page 3; SAH work streams, page 14; Young People's Health Advisory Group, page 25.  Looked after children: SAH work streams, page 13.  Care leavers: SAH work streams, page 13; Kevin Browne, page 21; Care Action Group, page 23.  Children of substance misusers: SAH work streams, page 14.  Prisoners' children: Other Work, page 18.  Travelling showpeople: Other work, page 18.  Excluded young people: See Detached youth workers in the Participation Strategy, page 20.
Consult organisations working with and for children and young people.	Message from the Head of Policy, page 5. "Safe, Active, Happy" work, pages 12 – 14.
Review law, policy and practice.	Message from the Head of Policy, page 5. The Commissioner's Activities, pages 12 – 18. Consultation Responses, pages 26 – 27. Enquiries Update, pages 28 – 29.
Promote best practice. Encourage others to have regard to the views and best interests of children and young people.	CRIA, page 14 – 15. Enquiries Update, pages 28 – 29.
Promote, commission, undertake and publish research.	Research, page 14. The Coming Year, page 32.
Power to conduct formal investigations.	None carried out this year.
Recommendations to Parliament.	Incorporation of the UNCRC, page 15.
An overview of work for the following year.	The Coming Year, page 32.

## The Coming Year

The coming year will be the one in which much of our current work comes to fruition. We will be examining the results of the mapping and evidencing that was the central focus of Year 1 of Safe, Active, Happy, and identifying specific objectives to pursue in Year 2. In particular, we will publish a number of reports and recommendations, some of which will be laid before Parliament:

- Moving and Handling Disabled Young People;
- The Age for Leaving Care;
- Adult Attitudes to Contact with Children & Young People;
- Disabled Young People's Access to Leisure Opportunities; and
- The balance of risk and adventure for children and young people who are looked after by local authorities.

Another two reports will be finalised and published during the coming year:

- The Rights of the Children of Prisoners; and
- The Rights of Children under 16 Detained in Adult Prisons.

The leaving care leaflet will be rolled out across Scotland and young people helped to understand their rights and find their way through the system.

I am keen to explore further the potential for SCCYP acting as advocate for groups of children and young people wishing to progress local issues. I therefore intend to:

- Develop case studies out of this year's work in two local authority areas to help shape future work;
- Develop the website to provide a resource for young people on campaigning; and
- Analyse and disseminate the information gleaned from the Detective Kits and the associated Young People's resource to help further the policy aim of more Things To Do.

The exploratory work with pre-school children undertaken this year will, in the coming year, shape our office space and our participation strategy.

In terms of communications, I intend to significantly increase the range of material for children and young people to inform them about SCCYP and the UNCRC. I will also produce information for parents.

A major focus of the coming year will be SCCYP's report to the UN Committee on the Rights of the Child, to help the Committee assess the UK's progress in implementing the UNCRC. The four UK Children's Commissioners are working together on this, with SCCYP undertaking a coordinating role.

In terms of office-related work, I will:

- Produce an updated Business Plan, after consultation with stakeholders;
- Produce a Governance and Delegation framework that will seek to integrate the Young Person's Reference Group more fully into the core work of the office; and
- Enter dialogue with relevant agencies to agree memoranda of understanding.

SCCYP's updated Participation Strategy is available on our website: [www.sccyp.org.uk](http://www.sccyp.org.uk).

SCCYP!

protection from work which is bad for your health or education  
right to life

You have the right to have an identity

have the right to help if you have been hurt, neglected or badly treated  
should not be kidnapped

protection and help if you are a refugee

have the right not to be punished in a cruel or hurtful way

You have the right to collect information from the media

live in peace

have the right to play and relax by doing things like sport, music and drama

use your own language

freedom of writing unless it breaks the rights of others

right to the best health possible and to medical care and information

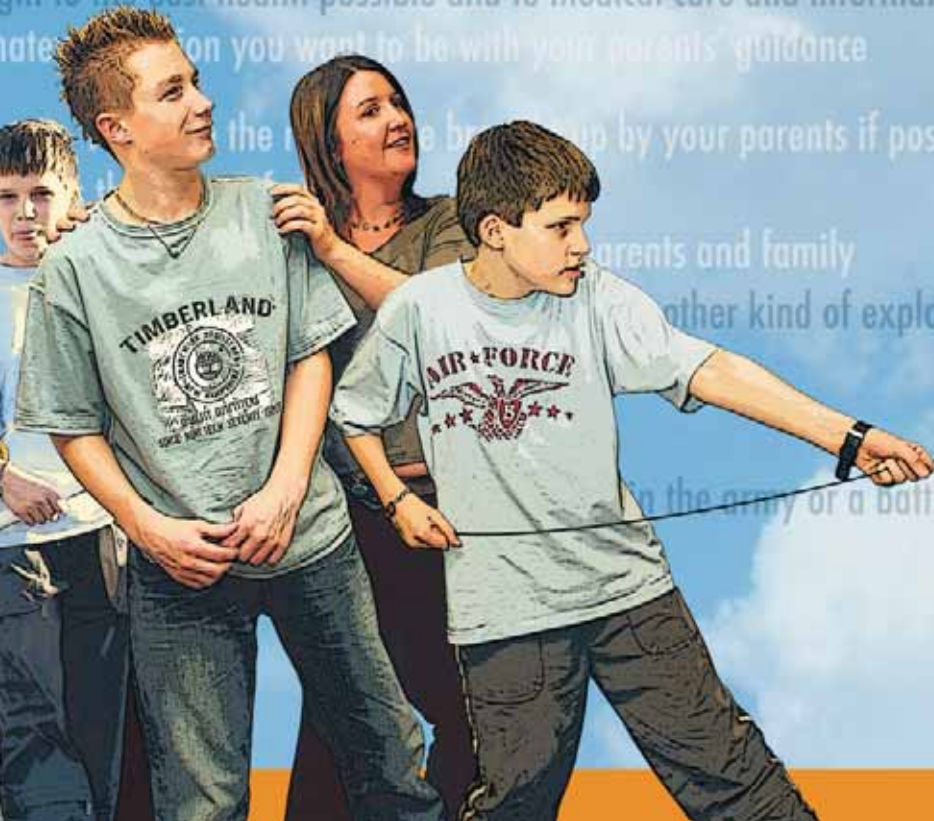
freedom of religion you want to be with your parents' guidance

the right to be brought up by your parents if possible

respect for parents and family

no other kind of exploitation

not to be in the army or a battle





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