

Child Rights and Welfare Impact Assessment

Consumer Scotland Bill

June 2019



Scottish Government
Riaghaltas na h-Alba
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CONSUMER SCOTLAND BILL

CRWIA Stage 1 Screening - key questions

1. What aspects of the policy/measure will affect children and young people up to the age of 18?

The Consumer Scotland Bill will establish Consumer Scotland and introduce a duty on public authorities to have regard to consumer impacts and the desirability of reducing consumer harm while making strategic decisions in the course of delivering functions.

Consumer Scotland will identify consumer harm as a starting point only. Its primary goal will be to develop and advocate for practical solutions. To do this, it will have four key functions:

- to provide strategic oversight of the consumer landscape to develop a full understanding of how markets work for consumers in Scotland and ensure resources are targeted to tackle harm;
- to conduct in-depth investigations into areas where harm in Scotland is most acute and recommend solutions;
- to facilitate access to a consumer advice system that meets individual consumer needs and aggregates collective data to support prevention work; and
- to comment on Scottish Government policy with significant impact on consumers, and support public authorities in Scotland to comply with a statutory consumer duty.

The Bill describes a consumer as “an individual who purchases, uses or receives goods or services in Scotland, where those goods or services are supplied in the course of a business”. This definition is purposely as inclusive as possible, and does not exclude those under the age of 18.

2. What likely impact - direct or indirect - will the policy/measure have on children and young people?

Consumer Scotland, as established by the Consumer Scotland Bill, will have the power to investigate and propose solutions to detriment experienced by consumers under the age of 18. It is not proposed that Consumer Scotland will investigate individual consumer cases, and so any impact on children and young people would be a positive, indirect impact.

3. Are there particular groups of children and young people who are more likely to be affected than others?

No.

4. Who else have you involved in your deliberations?

A 12 week public consultation was held between July and September 2018. A consultation to establish a consumer body for Scotland invited views on the objectives and functions of the new body. This on-line consultation was supported by a series of four stakeholder engagement events which were attended by around

50 individuals. As stated in section 1 above the definition of consumer included in the Bill captures children. There have been no concerns noted about the impact of the Bill on children and young people.

The EQIA has also been completed and no adverse effect on children and young people was highlighted.

5. Will this require a CRWIA?

No. We consider that a Child Rights and Wellbeing Impact Assessment is not required in respect of the Consumer Scotland Bill and the establishment of Consumer Scotland. There have not been any negative impacts on the rights or wellbeing of children and young people under 18 identified. It is additionally considered that Consumer Scotland can deliver positive impacts for children and young people under 18 through its governance, how it interacts with consumers and how it delivers on proposing solutions to consumer detriment.

CRWIA Declaration

CRWIA required

CRWIA not required

Not required.

Authorisation

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Date

17 May 2019

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Date

30 May 2019



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