

ACCOUNTABILITY IN ACTION: MAKING THE CHILDREN'S RIGHTS SCHEME WORK FOR CHILDREN

12TH NOVEMBER 2025

REMINDER
THIS EVENT IS BEING
RECORDED



WEBSITE: WWW.ED.AC.UK/EDUCATION/OBSERVATORY
CONTACT EMAIL: CHILDRENS.RIGHTS@ED.AC.UK



WELCOME

Prof Kay Tisdall

Moray House School of
Education and Sport
University of Edinburgh



ABOUT THE OBSERVATORY

- ❖ The Observatory is a collaborative of Scottish organisations working to drive implementation of children's human rights in Scotland, with local impact and global learning.
- ❖ It came into being in 2020 and is steered by its core members:
 - ❖ CELCIS
 - ❖ Childhood and Youth Studies Research Group, Moray House School of Education and Sport, University of Edinburgh
 - ❖ Children's Parliament
 - ❖ Global Justice Academy
 - ❖ Inspiring Children's Futures, University of Strathclyde
 - ❖ Together (Scottish Alliance for Children's Rights)
 - ❖ And the Children and Young People's Commissioner Scotland as an independent advisor



PROGRAMME

10 – 10.15am	Welcome , Prof Kay Tisdall
10.15 - 11am	Case study: the Welsh Children's Rights Scheme , Dr Rhian Croke
11 – 11.25am	Introduction to the Scottish Children's Rights Scheme , Juliet Harris
11.25 – 11.40am	Break
11.40am – 12.50pm	Breakout groups <ol style="list-style-type: none">1. National-level budgeting for children's rights2. Legislative incompatibility with the UNCRC & definition of the child (article 1 of the UNCRC)3. Children's experiences of accessing redress and remedy4. Government accountability to children and young people
12.50 - 1pm	Close , Dr Fiona Morrison

CASE STUDY: THE WELSH CHILDREN'S RIGHTS SCHEME

Dr Rhian Croke

Children's Legal Centre
Wales and Observatory
on Human Rights and
Social Justice



The Rights of Children and Young Persons (Wales) Measure 2011 Children's Rights Scheme

Dr Rhian Croke

Children's Legal Centre Wales
and Observatory on Human
Rights and Social Justice



Canolfan
Gyfreithiol
y Plant
Cymru

Children's
Legal
Centre
Wales



Rights of Children and Young Persons (Wales) Measure 2011

Section 1: Imposes a duty of due regard to Part 1 of the UNCRC & specified optional protocols on Welsh Government Ministers in the exercise of any of their functions.

Section 2: The Welsh Ministers must make a scheme (“the children’s scheme”) setting out the arrangements they have made, or propose to make, for the purpose of securing compliance with the duty under section 1 (including a commitment to undertake *Children’s Rights Impact Assessments*).

Section 3: In preparing or revising the scheme, must have regard to any reports or recommendations of the UN Committee on the Rights of the Child.

Section 4: Welsh Ministers must produce a Compliance Report every 5 yrs (*Welsh Government committed to do a report every 2.5 yrs*).

Section 5: Promote knowledge and understanding of the UNCRC.



Children's Rights Approach Guidance for Public Authorities & Framework for Children's Rights Scheme



Making rights a reality for all children in Wales



THE RIGHT WAY

A Children's Rights Approach in Wales

A Children's Rights Approach is a principled and practical framework for working with children, grounded in the UN Convention on the Rights of the Child



Embedding Children's Rights: putting children's rights at the core of legislation, policy, planning and the delivery of services

How does Welsh Government say they are embedding children's rights?

- Making it clear how plans and policies link to the UNCRC.
- Making sure Ministers and officials have a good knowledge of children's rights.
- Making it clear how putting children's rights at the core of decisions improves Government work.
- Making sure people who make decisions about children have training on the UNCRC.
- Making sure there is a team who are responsible for children's rights in the Welsh Government.
- Making sure the resources needed to support and promote children's rights are available.

(Children's Rights Scheme Compliance report 2023).

Case study 1 – Embedding Children’s Rights

- The due regard duty to the UNCRC and the **Children’s Rights Scheme** has helped to embed children’s rights systematically across Welsh Government legislation and policy.
- However, Wales still lacks an **overarching National Children’s Rights Plan** with clear child rights indicators, timelines, and accountability measures.
- The absence of a **Cabinet-level Minister for Children** limits strategic leadership, and risks children’s rights being overlooked in high level decisions.
- However, the dedicated **Welsh Government Children’s Rights Branch** continues to play an essential — but under-resourced role - in coordinating embedding children’s rights across government (*Via Manual for Staff on Embedding, CRIAs, Compliance Reports, Monitoring Concluding Observations, Raising Awareness of UNCRC, External Children’s Rights Advisory Group etc*).
- **Children’s Rights Impact Assessments (CRIAs)** are fundamental to embedding children’s rights— providing a proactive, preventative mechanism that ensures children’s rights are considered at the earliest stages of policy development and that potential harms are identified and mitigated before decisions are made.
- **Civil society must play a crucial role** in monitoring the implementation CRIAs, challenging government failures, and ensuring that children’s rights considerations are robust and evidence-based.

Equality and Non-Discrimination: ensuring that every child has an equal opportunity to make the most of their lives and fulfil their potential

How does Welsh Government say they are embedding equality and discrimination?

- Setting out clear ways to promote equality and tackle discrimination against children in policies and plans.
- Making sure people who work in the Welsh Government have up-to-date knowledge of the Equality Act 2010. This includes regular training about the needs of different groups of children.
- Understanding the needs of particular groups of children to make better decisions.
- Providing information to children in a language or format appropriate to their needs. For example, their age.

(Children's Rights Scheme Compliance report 2023).

Case study 2: Equality and Non-Discrimination

- Wales has adopted a range of **progressive, equality-focused policies** —e.g. *Anti-Racist Wales Action Plan*, *Nation of Sanctuary Plan*, and *LGBTQ+ Action Plan* etc.
- However, **gaps in disaggregated and Wales-specific data** continue to weaken evidence-based policy-making and it can be challenging to assess the real impact of policies on children, particularly those with **protected characteristics**.
- For example, inadequate police data on strip searches of children prevented accountability for potential racial bias..... however, by using the **due regard duty to the UNCRC**, civil society and parliamentary scrutiny were able to exert pressure on Welsh Government, which in turn influenced the Police in Wales to improve monitoring and reporting practices.
- The proportion of national and sectoral governmental expenditure allocated to children must be made transparent, to track **how spending decisions affect equitability**.
- There should be a **CRIA of national budget** to proof for compliance with UNCRC.

Participation: listening to children and taking their views meaningfully into account

How does Welsh Government say they are embedding Participation?

- Identifying gaps and opportunities where participation should happen across the Welsh Government.
- Involving children in the planning and design of services.
- Removing the things that stop children participating. For example, information that is hard to understand, transport, language.
- Giving extra support to children who need it.
- Developing clear targets to listen to children who may not always be heard.
- Including children when staff are recruited who have responsibilities that impact on them.
- Giving feedback to children. This means telling them how their views have been taken into account.
- Adopting the National Participation Standards.

(Children's Rights Scheme Compliance report 2023).

Case study 3 - Participation

- **Welsh Government Participation Engagement Model** provides structured opportunities for children's participation.
- Annual ministerial meetings and Young Wales young people advisory groups ensure children **contribute to policy development**.
- However, **participation within CRIAs** can be inconsistent and variable in quality.
- CRIAs should more clearly demonstrate **how** children's views shaped final decisions and policy development.
- Ongoing legal challenge exposes failure to consult **affected young people**.
- Participation must be **embedded in every stage** of policymaking and decision-making across government.

Empowering the Child: giving children and young people the capabilities to use their rights and hold organisations and individuals that affect their lives to account

How does Welsh Government say they are embedding empowerment?

- Giving information to people to increase their understanding about children's rights.
- Removing barriers to the things people need to understand and use children's rights.
- Promoting all children's right to be involved in, and listened to, when decisions are made that affect them.
- Making sure children have the information they need to take part in decisions. For example, creating documents that are easily understood and appropriate to a person's age. This means being clear about opportunities, so children can choose if they want to be involved.
- Making sure children can scrutinise decisions made about them. This means having opportunities to ask questions to adults making decisions and hold them to account

(Children's Rights Scheme Compliance report 2023).

Case Study 4: Empowering the Child

- The Welsh Government **Raising Awareness of Children's Rights Plan** is a positive step toward fulfilling the Section 5 Rights Measure duty.
- Focuses on raising awareness across five key areas: **children and young people, early years, education, public sector, and parents/carers.**
- 40% of children knew '*a great deal about their rights and the UNCRC*' (compliance report 2023)....to continue to push forward, a more comprehensive **well-resourced** raising awareness strategy and **robust evaluation needed.**
- Great significance that children's rights and human rights are now **embedded in the Curriculum for Wales**, with legal duties on educators and governors to promote the UNCRC and UNCRPD.
'head teachers and governors have a duty to promote knowledge and understanding of Part 1 of the UNCRC, and of the United Nations Convention on the Rights of Persons with disabilities, Section 64 of the Curriculum (Wales) Act 2021
- However, there is no monitoring of this duty's implementation — **systematic monitoring** is urgently needed.

Accountability: organisations and institutions must be accountable for the decisions and actions which affect children's lives, in particular to children themselves

How does Welsh Government say they are embedding accountability?

- Giving children information on how they can ask questions and challenge decision-makers.
- Making children aware of their rights. This means giving them information to understand the responsibilities and obligations of duty bearers.
- Making sure staff understand their responsibilities and obligations to children.
- Publishing updates showing how we've worked towards making rights a reality.
- Feeding back regularly to children.
- Providing children with accessible information about how to make complaints or hold staff to account.

(Children's Rights Scheme Compliance report 2023).

Case Study 5: Accountability

- Wales requires an **independent, accessible, and child-friendly complaints system, co-designed with children** and supported by strong communication and outreach.
- Legal advice and representation for children requires **secure, core government funding**.
- Wales lacks **direct enforceability of UNCRC** rights — unlike Scotland's compatibility duty. However, cost and capacity barriers remain even with stronger legal frameworks — **importance of funding civil society litigation**.
- Welsh Government **Compliance Reporting & reporting against the UN Committee's Concluding Observations** is strong, but civil society should more actively use them to monitor and hold Government to account.
- The UNCRC and due regard duty have become more embedded in **Welsh parliamentary scrutiny**, even extending to challenging UK Government compliance.

Positive Concluding Reflections

- **Systematic embedding of Children's Rights:**

The '*due regard*' duty and the *Children's Rights Scheme in Wales* has strengthened a whole-government approach to embedding children's rights into Welsh law, policy, and decision-making.

- **Enhanced Accountability and Visibility:**

It provides an accountability mechanism ensuring children's rights are properly considered and that Ministers report and respond to UNCRC obligations.

- **Cultural Shift in Governance:**

The duty has helped embed a rights-based culture, recognising children as rights-holders, and making children more visible in government policy making and parliamentary scrutiny.

Lessons & areas for improvement

- **Leadership, planning and resources:** A national children's rights plan & monitoring framework, Cabinet-level Minister and better resources are key to sustained progress.
- **CRIAs:** Must be consistent, timely, and participatory — underpinned by systematic monitoring both internally, and externally by civil society.
- **Data:** Robust, disaggregated data is needed to identify inequalities and inform interventions.
- **Budgeting:** Transparency in resource allocation is crucial for equality and accountability.
- **Participation:** Must be embedded across all decisions affecting children directly or indirectly.
- **Awareness:** Rights education and awareness need stronger resourcing and monitoring.
- **Access to Justice:** Strengthen & better resource legal redress and independent child friendly complaints for true accountability.
- **Scrutiny:** Ongoing civil society and parliamentary scrutiny is vital to drive compliance and culture change.



Diolch/Thank you!

<https://childrenslegalcentre.wales>



@ChildLegalWales



INTRODUCTION TO THE SCOTTISH CHILDREN'S RIGHTS SCHEME

Juliet Harris

Together (Scottish
Alliance for Children's
Rights)



An introduction to the Children's Scheme
Juliet Harris, Director, Together (Scottish Alliance for Children's Rights)

12th November 2025

Website: www.togetherscotland.org.uk

Image from members of the Children's Parliament Website: www.childrensparliament.org.

The Children's Scheme – the next step in the journey

- What is the Children's Scheme?
- Why does it matter?
- What does it include?
- Themes for discussion
- Turning commitment into action!



What is the Children's Scheme?

- A new legal requirement under the UNCRC (Incorporation) (Scotland) Act 2024
- Sets out how Scottish Ministers will:
 - **Comply with legal duty not to act incompatibly with the UNCRC**
 - **Take further steps to realise children's rights across government and public services**
- Replaces the reporting duties under the 2014 Act
- Reviewed every three years - with input from CYPCS, SHRC, civil society and children and young people
- Reported on annually to the Scottish Parliament

Why does the Children's Scheme matter?

Contains 41 arrangements that sets out how Ministers will:

- Enable children to **participate** in decisions that affect them, with **advocacy and support**
- Identify and address where **rights are at risk** or unfulfilled
- Raise **awareness** and promote children's rights
- Promote accessible **complaints** systems
- Ensure effective **access to justice**
- Protect children's rights in **services delivered by others**
- Consider children's rights in **national budgets**
- Prepare and publish **Child Rights and Wellbeing Impact Assessments**
- Use and promote **inclusive communication**



What does the Children's Scheme include?

- The 41 “arrangements” are practical commitments showing how government will deliver its legal duties around:
 - **Participation, advocacy and access to justice**
 - **Rights awareness and inclusive communication**
 - **Child rights budgeting and CRWIAs**
 - **Accountability, scrutiny and data**
 - **Support for those children whose rights are most at risk**
 - **Embedding rights in public services and business practice**
- Grounded in the five principles of a children's human rights approach
- Developed through consultation with children, CYPCS, SHRC, Together and others



Key themes for today

- **National-level budgeting for children's rights** - How public money is planned, allocated and spent to make rights real for all children.
- **Legislative incompatibility & definition of the child** - How we ensure every law in Scotland works for every child in line with the UNCRC, with a particular focus on Article 1.
- **Access to redress and remedy** - How children are supported to claim their rights and challenge when things go wrong.
- **Government accountability to children and young people**
 - How government listens, learns and acts on what children say - with transparency and follow-up.

Taking next steps together

- Scotland now has the tools – the Act and the Scheme.
- The challenge is to make them work in practice.
- Together, we can turn commitment into action.
- **Let's use this as a starting point for shared learning and collaboration.**





An introduction to the Children's Scheme
Juliet Harris, Director, Together (Scottish Alliance for Children's Rights)

12th November 2025

Website: www.togetherscotland.org.uk

Image from members of the Children's Parliament Website: www.childrensparliament.org.



BREAKOUT GROUPS

- ❖ Group 1 National-level budgeting for children's rights – room LG23
- ❖ Group 2 Legislative incompatibility with the UNCRC & definition of the child (UNCRC art 1) – room G44
- ❖ Group 3 Children's experiences of accessing redress and remedy – room G36B
- ❖ Group 4 Government accountability to children and young people – room M16

CLOSE

Dr Fiona Morrison

Moray House School of
Education and Sport
University of Edinburgh

NEW PROJECT ON UNCRC IMPLEMENTATION IN SCOTLAND!

- ❖ Working across sectors to look at progress and gaps of UNCRC implementation in Scotland and accelerate impact in those areas
- ❖ Led by Inspiring Children's Futures (Strathclyde), with CELCIS, CYCJ, Strathclyde Law School, Moray House (Edinburgh), Together and the Improvement Service.

Get in touch at childrens.rights@ed.ac.uk to hear more!



THANK YOU FOR ATTENDING THIS EVENT!



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