United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024

7-Minute Briefing

Please direct questions or requests for further information to:
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UNCRC Implementation:

Delivering Children's Rights in West Lothian

7-minute briefing

1 What is the UNCRC?

The UNRCR is a **legally-binding international agreement** setting out the civil, political, economic, social and cultural rights of every child regardless of their race, religion or capabilities. It was drafted in 1989 and has been ratified by 196 countries, including the UK in 1991.

2 What is happening in Scotland?

In March 2021 the **Scottish Government unanimously passed the UNCRC Bill** to incorporate the UNCRC into scots law. The UK government referred the bill to the Supreme Court. As of January 2024, the Bill has now received Royal Assent and **will be incorporated into scots law by July 2024.**

3 Why is this happening?

Whilst the UK has previously ratified the UNCRC, this does not guarantee children's rights are being respected in Scotland. This can only be done by **incorporating the UNCRC into domestic law, policy and practice.** This is now happening, to **ensure the rights of every child and young person in Scotland are respected, protected and fulfilled.**

4 What does this mean in practice?

All public authorities will be required to ensure the 54 UNCRC articles are implemented (exceptions apply – see Important Information). This will require all public authorities to ensure their services are compliant with the UNCRC, and to make relevant adaptations and changes where this is not already the case.

5 Important information

The compatibility duty will apply only when a public authority is delivering devolved functions conferred by or under Acts of the Scottish Parliament or common law powers. This means that the duty will not apply when a public authority's functions are delivered under Acts of the UK Parliament, even in devolved areas. **It is best practice to act in a way that respects children's rights irrespective of whether the duty applies.**

6 Team discussions

1. **What does this mean for our service?**
2. **What does our service already do to support children's rights?**
3. **What do we need to focus on to support children's rights?**
4. **How do we achieve this?**
5. **How are we involving children and young people in our service design and decisions?**

7 Resources & Further Reading

- **IS** - UNCRC Resources
- **Scottish Government** - CR
- **CYPCS** - UNCRC
- **Together** - UNCRC Incorporation
- **Enquire** - Understanding CR
- **West Lothian HSCP** - CR Service
- **Public Protection** - Child Protection
- **WL CR Working Group** - TOR

(More information HSCP website in due course.)

West Lothian Health & Social Care Partnership
westlothianhscp.org.uk

NHS Lothian

West Lothian Council