## UNCRC Incorporation and Children (Care and Justice) (Scotland) Bill

An update on progress





## **UNCRC**

42 articles that state the rights every child under 18 should have.

Ratified by the UK Government in 1991 creating obligation to comply, but not currently enforceable in our legal system.

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

Aim – make rights within UNCRC enforceable in law

## Timeline so far

- Passed by Scottish Parliament 16/3/21
- Taken to Supreme Court by UK Government on the basis that certain provisions exceeded the powers of Scottish Parliament
- Supreme Court ruled in favor of UK Government on 6/10/22
- Scottish Government remains committed to amending the Bill

Interaction with the Children (Care and Justice) (Scotland) Bill Incompatibility – current treatment of 16 & 17 year olds



- 1: Feedback and influencing work that the cut of referrals should not be 17.5 but be extended to 18 in line with UNCRC
- 2: Removing data forecasting assumptions based on data from 2020/21 2021/22 because these were 'covid years' and numbers were atypical
- Impact of new forecasting
- Moved from a projected 2,415 to 3,345 additional hearings 43% increase
- Move from a projected 273 to 386 additional panel embers
- Move from a projected £450k to at least £600k additional costs
- All based on extending our existing volunteer panel member model



## Children (Care and Justice) Bill: Timeline

January 2020 – March 2022	April - June 2022	July – Septemb er 2022	Decemb er 2022	January – June 2023	July – October 2023	October – December 2023	January –	April 2024
Policy Development	Formal consultation	Supporting statutory materials (financial memo and modelling)	Bill Published	Stage 1	Stage 2, review of financial memo	Stage 3	Royal Assent	Phased Implementation