

## SIAA Response

### **Progressing Children's Rights in Scotland : An Action Plan**

September 2018

**Q1: Do you agree that the Action Plan should include:**

- i. **Identified strategic actions intended to secure transformational change in how children and young people experience their rights.**

Yes

- ii. **A summary of specific initiatives being taken forward across all Scottish Government portfolios that captures what we will do in the next 3 years to secure better or further effect of the UNCRC principles**

Yes

- iii. **A number of key policy specific actions identified through the consultation process that are not currently being taken forward through other Scottish Government initiatives.**

Yes

**Q2: Do you agree that the 4 proposed strategic actions are appropriate and will help to take forward the principles of the UNCRC?**

- i. **Development of a dynamic Participation Framework for Children and Young People.**

Yes

- ii. **Ambitious delivery, through co-production, of the 3 year children's rights awareness programme**

Yes

- iii. **Progressing the comprehensive audit on the most effective and practical way to further embed the principles of the UNCRC into policy, practice and legislation, including the option of full incorporation into domestic law.**

Yes

- iv. **Evaluation of the Child Rights and Wellbeing Impact Assessment (CRWIA).**

Yes

**Q3: Are there ways in which proposed strategic actions listed above could be further strengthened?**

**Q4: Are there additional or alternative strategic actions that the Scottish Ministers should consider?**

**Q5: Are there any specific actions – not currently being progressed within a wider Scottish Government action plan, framework or other initiative, - that should be considered for inclusion within the Action Plan?**

We would like to see the Action Plan itself highlight the importance of independent advocacy.

Independent Advocates are professionals with a particular set of skills, knowledge and expertise. They are a vital resource for many different people who find it difficult to access services for a variety of reasons. Independent advocacy safeguards people; who are vulnerable and discriminated against; or whom services find difficult to serve. Some people find it difficult to articulate their needs and they find speaking up for themselves stressful, difficult or intimidating. An independent advocate offers support and reassurance during an individual's interactions with the state (to offer redress to the inherent power imbalance) and puts the emphasis on expressing what the person wants to say informed by the independent advocate's detailed knowledge of the process.

Independent advocacy helps people to:

- Be understood and heard by professionals and services who make decisions that affect their lives
- Better understand and navigate systems
- Understand their rights, and what to do when those rights are not met
- Think through their choices and make informed decisions
- Influence the design and delivery of systems and services
- Access services that they would otherwise be unable to engage with.

Advocacy is not:

- Mediation
- Giving advice
- Making decisions for someone
- Speaking for someone when they can express themselves.

We would also like to see increased funding and provision of independent advocacy for children and young people to help them to better realise their rights. We publish 'A Map of Advocacy across Scotland' every two years and a significant gap, which was highlighted in the 16-17 edition of this publication, was that children and young people with a mental illness still have very limited access to independent advocacy and in some local authority areas there is no provision at all. Similarly, the situation at children's hearings means that the majority of children do not have access to independent advocacy.

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The Scottish Independent Advocacy Alliance (SIAA) is Scotland's national membership body for advocacy organisations. The SIAA promotes, supports and defends independent advocacy in Scotland. It aims to ensure that independent advocacy is available to any person who needs it in Scotland.

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