



Children's Hearings Scotland (CHS) Response to the consultation on the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024: Statutory Guidance on Part 2 and 3 (section 18)

Children's Hearings Scotland: Consultation Response

Children's Hearings Scotland (CHS) welcomes the passing of The United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024. We believe that the incorporation, implementation, and enforcement of all rights as enshrined in the United Nations Convention on the Rights of the Child (UNCRC) within Scots Law is a fundamental step in ensuring that all infants, children, and young people of Scotland, are safe, respected, treated equally, provided with the support they need to thrive and have genuine influence and agency in their own lives.

CHS response to this consultation is founded on the following three principles: that the duty to uphold the rights of children should be fully incorporated within Scotland; that mechanisms should be in place to ensure children are aware of their rights and how they can be realised; and that there is accountability for any breaches of these rights with appropriate routes to remedy identified. We welcome the guidance within the scope of this consultation and strongly agree that it addresses these core principles.

CHS believes that strong, collaborative working is needed across the children's care and justice sector to ensure Scotland is a country where children are fully aware of their rights and empowered to hold those who act incompatibly with them to account. This is why we will continue to work with all partners in the Children's Hearings System to ensure that promoting and protecting children's rights is at the forefront of everything we do.

Children's Hearings Scotland: Our Role

A children's hearing is a legal tribunal comprised of trained Panel Members who make decisions as to whether compulsory measures of supervision are required



for children in need of care and protection, or whose behaviour puts themselves, or others, at risk of harm. Panel Members are trained to take a rights-based approach to making these decisions, with the welfare of the child being the paramount consideration.

CHS was established in July 2011 as a public body to support the National Convener to deliver their statutory functions. These functions include the recruitment, training, and ongoing support to tribunal Panel Members. Maintaining the independence of CHS and the National Convener is an essential statutory requirement. A Board of non-executive members, accountable to Scottish Ministers and the Scottish Parliament, governs CHS. Our vision is of a Children's Hearings System where everyone works together, making sure that all are cared for and protected, that their rights are upheld and their views are heard, respected and valued. Our mission is to improve outcomes for children by enabling Panel Members to make high quality decisions with them and the people that matter to them.