

Cross-Party Group on Children and Young People

Exiting the European Union and Children and Young People

Thursday, 25 October

13:00 – 14:30

Scottish Parliament, Committee Room 1

Chair: Alex Cole-Hamilton MSP

Minutes

Attendees:

Alex Cole-Hamilton MSP	Kezia Dugdale MSP	Salena Bagely MBE
Maree Todd MSP	Daniel Rutherford	Kara Brown
Chris Ross	May Chamberlain	Janet Cormack
Jemma Tracey	Susan Hunter	Elizabeth May
Calum Heron	Liam Furby	Sara McFarlane
Oscar Cobham	Vivein Jayne	Robert McGeachy
Malika Afif	Cherie Morgan	Janis McCulloch
Jack Bell	Daniel Cosgrove	David Ashford
Soroush Uthmani	Jack Norquoy MSYP	Emily Beever
Kimberly Henry	Mhairi Snowden	Sarah Rodgers
Julia Calabrese	Jan Hiddleston	Sinead Gormally
Angus Collingridge		

1. Welcome from Chair – Alex Cole-Hamilton MSP

Alex Cole-Hamilton MSP welcomed attendees to the Forum and asked those in attendance to introduce themselves.

Alex noted that the meeting was not to discuss whether exiting the European Union is a good or a bad thing but instead to focus down on how we can support children and young people as part of the process.

2. Confirmation of previous minutes and progress on actions

Alex Cole-Hamilton MSP ran through previous minutes, no issues arose and these were agreed.

Chris Ross, Children in Scotland, identified that the secretariat would follow up with the convenors on a range of previous actions.

- Agreement by all convenors on a joint motion and foreword to the report on the April meeting on children and young people's mental health is required.
- The Secretariat need to follow up with Kezia Dugdale MSP about a question in parliament asking the Scottish Government about how they will support children and young people to learn about their rights in schools following the June meeting of the CPG.

3. Panel Discussion

The EU Withdrawal Agreement and the impact on children and young people's rights – Mhairi, Snowden, The Human Rights Consortium Scotland

Mhairi Snowden identified that the impact of exiting the European Union on children's rights is extremely complex.

Mhairi also introduced the work of the Human Rights Consortium Scotland on the Civil Society and Brexit project.

Mhairi spoke about the impact of exiting the EU on children's rights in 3 categories. She identified where rights have already been lost, where there is a hazard and where there is a longer term issue that could mean rights are lost.

- The Charter of Fundamental Rights has been lost. This gave protection against trafficking and the right to be forgotten. If upheld the Scottish Parliament Continuity Bill would keep the Charter of Fundamental Rights.
- Citizens have already lost rights to remain in the UK. The UK will move from a system where immigrants have a right to be in the UK to an application based one. It was noted there had been the beginning of a campaign to support children and young people in this area. This will focus on 4 key areas: the need for longer application deadlines, the need for information and support, reducing paperwork and that there should be no application fee.
- European Union (Withdrawal) Act may result in 7 areas of EU Law that fall under Scottish Parliament competencies returning to the UK. This includes cross border child protection policy and so may impact on the rights of children and young people.
- In the longer term, powers to Westminster could mean a rolling back on other rights issues because the EU is good at children's rights and equalities.
- The UK government has also identified that it wants to repeal the Human Rights Act.

Mhairi noted the extension of the transition process and how this could slow things down and give more time for discussion. However, she identified that the process has been moving so fast it is hard to know the implications.

Alex Cole-Hamilton reflected that Brexit is having an impact on legislative scrutiny due to the amount that needs to be considered. Parliamentary committees are meant to get 28 days to scrutinise information but often are not receiving this.

Mhairi took a range of questions from attendees including;

- Julia Calabrese from the Children and Young People's Panel on Europe asked whether the Human Rights Consortium Scotland have any video content for children and young people. Mhairi indicated she would send this on.

It was also identified that had the voting age in the Referendum been 16 then the result would, in all probability, have been a win Remain

Research on impact of Exiting the EU on the Youth Work Sector – Dr Sinead Gormally, Glasgow University

Dr Gormally spoke about the impact of Brexit on the Youth Work Sector. This focussed around policy briefings they have provided.

It was identified that the impact is unknown and unpredictable but she feared that Brexit could mean a continuation of the cuts that have been experienced in the Youth Work Sector.

Dr Gormally noted that children and young people need to be given the opportunity to influence the process and could minimise the negative impact.

She also identified that the Youth Work profession can influence the process by pursuing international dialogue that supports the involvement of children and young people by creating new opportunities for social change. Dr Gormally identified this as key given the powerlessness many young people feel about Brexit.

Dr Gormally noted that Youth Work has an increasing reliance on the EU but less money over all. This is despite the value for money that spending on Youth Work can provide.

If spending continues to be reduced this will hugely negatively impact on children and young people. It needs funding and resources, but also sustained opportunities to be involved.

The work of the Scottish Youth Parliament in relation to exiting the EU – Jack Norquoy MSYP

Jack identified that the Scottish Youth Parliament (SYP) has already done a lot of work on Brexit and identified that, following the Referendum, he was determined that children and young people should be involved.

Jack introduced the work of the Scottish Youth Parliament including the recent 'Right Here Right Now' campaign to ensure that children and young people's rights are upheld in Scotland.

SYP launched a Brexit manifesto with 5 key priorities. They view Incorporation of the UNCRC as a benefit that could limit some of the worst impacts of Brexit. They have also supported YouthLink Scotland's Erasmus+ campaign.

SYP have also had opportunities to meet with key decision makers in relation to Brexit including the Cabinet Secretary for Government Business and Constitutional Relations, Mike Russell and Hilary Benn MP. They will also meet with the Minister for Europe, Migration and International Development, Ben MacPherson, to discuss the future of EU nationals.

Jack identified that he feels that children and young people's issues are being raised but we do not know if they are having an impact. We need to continue to involve them.

SYP will be supporting Brendan O'Hara MP's Private Members Bill that will place a duty on the UK Government to carry out an independent review of exiting the EU on the Health and Social care sector.

SYP's 4 key asks to meet the needs of children and young people as we leave the EU:

- Full incorporation of the UNCRC;
- Everyone to be Human Rights Defenders;
- Involve and listen to children and young people;
- Use the SYP Brexit advocacy toolkit.

Alex Cole-Hamilton MSP asked the Minister for Childcare and Early Years, Maree Todd, about the timetable for UNCRC incorporation. The Minister responded and identified that Brexit presents a powerful case for incorporation of UNCRC but that she is unable to give a timetable for this.

The Minister noted that certain reserved competencies such as provision of social security make full incorporation complex. The Minister also identified that they have concerns about incorporation of the UNCRC's original language due to issues with its justiciability.

The Minister noted that the Government wants to continue to engage Civil Society before making the changes but reaffirmed the Scottish Government commitment to incorporation.

Alex Cole-Hamilton MSP noted that the CPG on Children and Young People will be watching with interest.

The Children and Young People's Panel on Europe – Recommendations on how to meet the needs of children and young people in the Brexit negotiations – Panel Members

Panel members introduced the work of the panel. Oscar identified that they had started their work in August and have since met monthly. They have chosen a range of topics to focus on:

- EU Funding;
- Opportunities to live, work and travel in Europe after we leave the EU;
- The Economy, Trade and Jobs;
- Children and young people's rights;
- Protecting against uncertainty.

Malika identified some of the recommendations the panel have already agreed. She noted they support the UK government's commitment to maintain Erasmus+. The panel also want an easy and fair Visa application process.

The panel then asked the CPG to break into small groups to discuss two key questions:

- What are your concerns about Brexit for the children and young people you work with?
- How can the panel engage with the children and young people you work with and how can you promote our work?

Following group discussions, the panel asked the convenors of the CPG if they would be willing to meet outside of the CPG to discuss their concerns and if they would raise a question.

Alex Cole-Hamilton MSP agreed to meet following the CPG and that he would raise a question for the panel in parliament.

The panel also asked the CPG if they had any suggestions for other ways to promote their work and ensure children and young people are heard.

Alex Cole-Hamilton MSP identified they could lodge a motion in parliament and that he would be willing to sponsor an event in parliament after Christmas.

Robert McGeachy from Camphill Scotland suggested that the panel also engage at a UK level.

4. Floor Discussion

Chris Ross, Children in Scotland asked Minister for Childcare and Early Years to clarify the Scottish Government's commitment to incorporate the principles of the UNCRC. The Minister identified this is specifically about the language used and ensuring that the right path is taken to ensure a method of redress.

Mhairi Snowden, Human Rights Consortium Scotland, asked if they are considering a phased in model of incorporation that would start with 'due regard to the UNCRC' before full incorporation. The Minister noted that there would usually be a bedding in period for such a change.

Soroush Uthmani, Children and Young People's Panel on Europe, asked if people felt children and young people had enough information and what the Scottish Government had done to tackle this. The Minister for Childcare and Early Years, Maree Todd, suggested that everyone did not have enough information and that in Scotland the tone of the debate was very different.

Julia Calabrese, Children and Young People's Panel on Europe, noted that there is a real issue that children and young people are not talking about Brexit. The Minister for Childcare and Early Years, Maree Todd, noted that this may be to do with uncertainty and that no one knows what is going to happen.

Alex Cole-Hamilton MSP suggested that the role for the panel is to cut through the confusion and distil down the key issues for children and young people.

Robert McGeachy, Camphill Scotland, reiterated the need for support at Westminster for Brendan O'Hara MP's Private Members Bill to ensure an independent review of the impact of exiting the EU on the Health and Social Care sector.

Soroush Uthmani, Children and Young People's Panel on Europe, asked if Brexit would limit the UK/Scotland's chance to implement public sector pay rises such as those pursued by the EIS. Alex Cole-Hamilton MSP suggested that this was likely to be the case due to the negative impact on the economy.

4. Agree Actions and Close

The CPG discussed a general concern about the potential delay on incorporation of the UNCRC. Alex Cole-Hamilton MSP suggested a good way to keep on pressure was to contact local MSPs.

- The secretariat will follow up with convenors to agree a joint motion and foreword on the back of the April meeting on mental health.
- The secretariat will follow up with Kezia Dugdale MSP to lodge a question about supporting children and young people to learn about their rights in school.
- Alex Cole-Hamilton MSP will organise a meeting with the Children and Young People's Panel on Europe.
- Alex Cole Hamilton MSP to ask a question in parliament about the work of the Children and Young People's Panel on Europe.
- The secretariat will explore with Alex Cole-Hamilton MSP about an event in parliament and a motion to support the work of the Children and Young People's Panel on Europe.
- The secretariat to follow up with other CPG convenors to see if they will meet with the Children and Young People's Panel on Europe.

5. Date of Next Meeting

Thursday, 28/11/2018 - Family Contact