

## JUSTICE COMMITTEE

### CHILDREN (SCOTLAND) BILL

#### SUBMISSION FROM THE SCOTTISH YOUTH PARLIAMENT

The Scottish Youth Parliament wishes to draw your attention to our response to the public consultation from 2018 on the topics raised by the Children (Scotland) Bill, available [here](#). We have not been able to draft a full response to you in the template, but we hope this email will be of use to the Committee.

In particular, we were pleased to see that the Bill would legislate for the encouragement of the views of younger children to be heard, by removing the presumption that a child over the age of 12 is of sufficient age and maturity to form a view; and promotion of contact between looked after children and siblings.

Erin Campbell MSYP, Deputy Convener of our Equalities and Human Rights Committee says;

*'The Committee believe wholeheartedly that siblings should have the right to maintain their strong relationships in the care system, when it is in their best interest. We believe that young people deserve dignity, love and support when in the care system and their siblings are often best placed to provide this, which is why we are delighted to support the Stand Up for Siblings [Campaign](#) in Scotland which we heard from at our recent 70<sup>th</sup> Sitting at Dunfermline High School in Fife on 27<sup>th</sup> October.'*

We are concerned that the Bill does not require children's views to be sought in all cases, and that there is no obligation for all decisions to be communicated to children and young people. In terms of gauging children and young people's understanding, the following SYP Policy may be of use:

[The Scottish Youth Parliament believes that during a police interview, the police officer should ask the child to repeat the given purpose of the interview and rights \(and other guidance\) back to them in their own words, to ensure the child has a good understanding before any questions are asked.](#)

We believe that:

- *'Children and young people's views must be meaningfully taken into account in decisions around family contact including consideration of what's in their best interests.'*
- *'Court decisions should be informally explained to children and young people by an adult they know and trust (e.g. a youth support worker), and in a manner according to their preference. For example, in a safe place and in an age and capability appropriate way using clear and simple terms without rushing; and the adult should follow-up and further support the child or young person once the decision has been implemented.'*

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The Scottish Youth Parliament

14 November 2019