



SCOTTISH POLICE
AUTHORITY
ÙGH DARRAS POILIS NA H-ALBA

Children's Rights Report

2017-20

Children's Rights

The rights of children and young people are laid out in the [United Nations Convention on the Rights of the Child](#) (UNCRC).

It outlines what children need to give them the best chance of growing up happy, healthy and safe. It also explains how adults and governments should work together to make sure all children can access all their rights.



The role of the Scottish Police Authority (SPA)

As per the Police and Fire Reform (Scotland) Act 2012, the SPA is responsible for holding the Chief Constable to account and to promote and support continuous improvement in the policing of Scotland.

The SPA is also responsible for the management and delivery of Forensic Services in Scotland and the administration of independent custody visitors.

The SPA recognise that the wellbeing of our children and young people is key to improving our nation's outcomes.

The SPA is committed to fostering a strong bond of trust between children, young people and the police, and taking steps to build on our efforts to achieve better outcomes for all. In the following pages you will find examples of work the SPA has already undertaken to ensure that the rights of children are upheld and put at the forefront of decision making.

Later in the document you will also be able to find further details about our plans for the future and how we will continue to put the rights of children first.

Purpose and 2017-20 activity

The Children and Young People (Scotland) Act 2014 requires us to publish a report every three years that shows what steps we have taken to uphold children's rights within our work.

This is our first report on our work during 2017-20 in relation to the UNCRC. How our work contributed to upholding children's rights during this period is detailed along with areas for development to make sure we're doing the best job we can to uphold children's rights within our remit.



The SPA Board has responsibility to promote and support continuous improvement in the policing of Scotland; to keep under review the policing of Scotland; and to hold the Chief Constable to account for the policing of Scotland. Central to this role is ensuring that the rights of all citizens, including children and young people are upheld and that Police Scotland embraces an approach of 'policing by consent'.

The SPA Board is made up of a diverse group of individuals that have varying experiences and backgrounds. Membership includes individuals with particular expertise in children, public protection and criminal justice social work services.

Our Board

Monitoring of custody conditions and openly reporting data on children and young people in Police Scotland custody. Oversight is carried out regularly at our Policing Performance Committee and an annual review of ICVS activities published*.

Custody visiting

* [Independent Custody Visiting Annual Reviews](#)

2017-20 activity cont'd

The Authority is responsible for scrutinising the Annual Police Plan produced by the Chief Constable, which describes how the arrangements for policing in that year will contribute towards the achievement of the objectives set out in the Authority's strategic plan.

Matters reserved for the Board include being consulted on the Annual Police Plan. The Annual Police Plan presented to the Board in March 2019 included activity around preventing child sexual abuse and exploitation, delivering the policing aspects of the Youth Justice Strategy and Police Scotland's approach to children and young people.

Authority oversight of the Annual Police Plan

Protecting and upholding the rights of children and young people is closely related to ensuring equalities are protected. The Equality Act ensures that discrimination or unfair treatment on the basis of certain personal characteristics, such as age is against the law in almost all cases. The SPA, in partnership with Police Scotland, developed cross cutting equality outcomes and ensured that that were mainstreamed into the Performance Framework and approaches to strategic planning.

Equality Mainstreaming

2017-20 activity cont'd

The SPA's Policing Performance Committee (previously called the Strategy, Policy and Performance Committee) regularly reviews the performance of Police Scotland across a number of operational and non-operational areas. Statistics on crimes against children and young people are fully reviewed with discussion focused on ensuring policing continually improves to reduce any criminality.

Furthermore, performance reports include non-quantitative reporting on themes related to children and young people. For example, efforts to tackle Child Sexual Exploitation and Abuse, shaping Police Scotland's approaches through youth engagement.

Policing Performance Committee

In February 2019, SPA Members were provided with an overview of the use of stop and search by Police Scotland and updated on the ongoing improvement, governance and scrutiny of the tactic. The report specifically referenced independent academic research which highlighted the then high rates of search amongst children and young people.

In February 2020, the SPA considered further scrutiny and assurance requirements regarding the use of stop and search as a policing tactic. In particular the SPA considered the Code of Practice for Stop and Search activity and heard evidence regarding the benefits of implementing a Trauma Informed Approach to policing.

Stop and search scrutiny and assurance

What next?

Going forward the Scottish Police Authority will build on the work delivered in 2017-2020 and continue to ensure that the rights of children are protected and upheld.

Over the 2020-2023 reporting period, and in addition to routine oversight, the Scottish Police Authority aims to carry out the following activity:

Enhance the oversight of Policing Performance Committee	The Policing Performance Committee will consider in detail the interactions that police have with children and young people. This will likely include exploring subject matter such as, use of force, stop and search and the number of children that experience police.
Corporate Parenting Plan	Both the SPA and Police Scotland are designated as Corporate Parents. This places a special responsibility on each organisation to support and represent the interests of care experienced children and young people. The SPA will develop its first Corporate Parenting Plan. This plan will include initiatives for the SPA to listen to, and support, the needs of the care experienced community but also to enhance our oversight of how Police Scotland performs as a Corporate Parent.
Children in Custody	The SPA recognise that police custody can have a traumatic and lasting impact on children and young people. Although very few children will ever experience police custody, every effort needs to be made to keep the numbers to a minimum. The SPA with Police Scotland and public sector partners will work to consider alternatives to police custody for children and young people that come into conflict with the law.
Policy review and development of CRIA	SPA Officers will review Police Scotland Standard Operating Procedures (SOPs) and National Guidance, putting particular focus on the impact these policing approaches have on children and young people. In addition the SPA will develop and Child Rights Impact Assessment and ensure that this is considered when developed a new strategy or policy that has the potential to impact on the rights of a child.

Progress against these objectives will be included as part of the SPA's 2020-2023 children's rights report.