

## **Response to the draft Scottish Contribution to the 2007 UK Report to the UN Committee on the Rights of the Child.**

Sacro welcomes the opportunity to influence the Scottish Contribution to the above report. Obviously all sections are important but in Sacro's view there are only one or two areas that we can comment on. In general the response as it stands is a full and well thought through one, however, there follows some minor comments for your consideration:

In page 104, the Section dealing with 'Developments in Youth Justice', we request that the following reference to Restorative Justice is added: Since 2000 all Local Authorities in Scotland have developed Youth Justice Services to include some form of Restorative Justice Service provision. Restorative Justice addresses the harm caused by the young person responsible and provides an opportunity for those who have been harmed to have their needs met. The ethos behind Restorative Justice fits well with the general principles of the UNCRC in so far as participation is voluntary and Restorative Justice best practice guidelines ensure that young people are treated with respect and dignity whether they have been harmed or have offended.

In page 107, Section 429, does not completely reflect some aspects of the research findings that suggested that Youth Courts are not the best way forward for under 16's. For example, Laura Piacentini & Reece Walters (2006) said: "Given its adversarial context we question whether the youth court with its emphasis on intense, but short-term, support can address the emotional and psychological needs of young people referred to it (as outlined in Article 37c of the UNCRC) (United Nations, 1989)".

In the Section dealing with 'New Legislative provisions', there is no mention of the use of 'preventative' Acceptable Behaviour Contracts, this should be added.

In Section 453, there are many professionals in the Children's Rights field who feel that the dispersal powers are a breach of a child's rights to meet their friends. Indeed it seems at odds with section **e) Freedom of association and peaceful assembly** "165. Article 11 of ECHR, the right to freedom of association and assembly was enshrined in UK law by the Human Rights Act. This protects the right to protest peacefully by holding meetings and demonstrations. These rights apply equally to adults and to children."

Sacro looks forward to seeing the final report and are grateful to have had an opportunity to comment on these.

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