

# 目錄

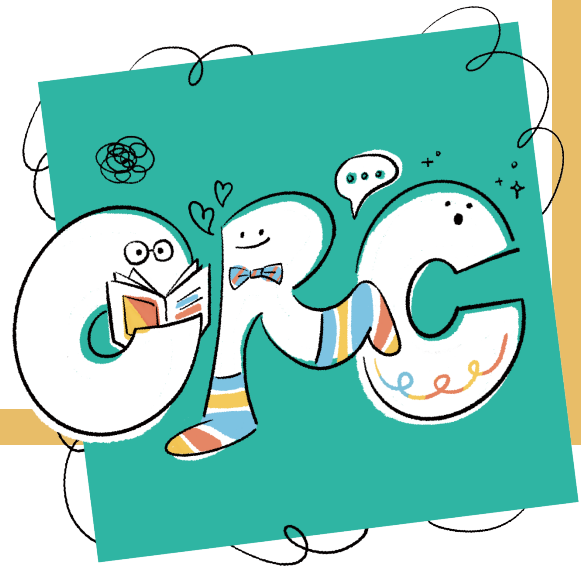
活動議程	02
主持人與講者介紹	05
簡報資料	16
• 兒童權利監測機制	16
• 兒少如何參與公共議題	64
• 兒少代表培力機制	72



國家人權委員會網站



國家人權委員會  
NATIONAL HUMAN RIGHTS  
COMMISSION, TAIWAN



**時間** 2024/8/20 (二) 9:30-16:30

**地點** 張榮發基金會國際會議中心 B1 會議廳

時間	內容
兒童權利監測機制	
09:30-09:35	與會貴賓介紹
09:35-09:42	致詞：陳菊主任委員
09:42-09:50	大合照
09:50-11:30	兒童權利監測機制介紹 分享人：各國機關代表
11:30-11:50	綜合座談討論 主持人：王幼玲副主任委員
11:50-13:30	午餐
兒少如何參與公共議題	
13:30-15:00	各國經驗分享 分享人：各國兒少代表
15:00-15:30	茶敘
15:30-16:30	綜合座談討論 主持人：林文程委員



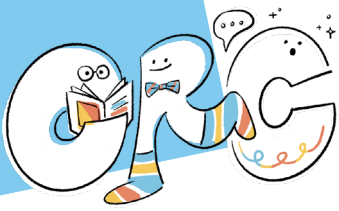


**時間** 2024/8/21 ( 三 )9:30-17:00

**地點** 張榮發基金會國際會議中心 B1 會議廳

時間	內容
兒童代表的培力機制	
09:30-10:50	各國經驗分享 分享人：各國兒少代表
10:50-11:10	茶敘
11:10-12:00	綜合座談討論 主持人：田秋堃委員
12:00-13:30	午餐
世界咖啡館	
13:30-13:40	活動說明
13:40-16:00	分組討論
16:00-17:00	成果分享
17:00	賦歸





## 陳菊

### 國家人權委員會主任委員

陳菊是臺灣民主運動重要推手之一，她於 1979 年美麗島事件中以叛亂罪名被移送軍事法庭審判，經歷政治黑牢 6 年半。深信民主與人權是永遠的追求，她歷任東亞人權協會理事、臺灣人權促進會主任和秘書長。陳菊曾擔任臺灣南北兩大直轄市社會局局長，也是臺灣首次政黨輪替後新政府的首任勞委會（今勞動部）主任委員，臺灣第一大海港城市高雄市民選市長 12 年與總統府秘書長，長達 30 年公職生涯，她特別關注社會福利和勞動人權，高雄市市長任內首創同性伴侶戶政登記制度，為後來的同婚合法化奠定了基礎。陳菊為總統任命之國家人權委員會首任主任委員，矢志為人權會建立起各項制度，強化監督行政部門的能力與開展與全球的人權夥伴關係。

主持與講者



# 兒童權利監測機制

主持人：王幼玲 副主任委員

分享人：

台 灣 葉大華 委員

澳 洲 Anne Hollonds 委員

蘇格蘭 Bruce Adamson 副主席

愛爾蘭 Nuala Ward 組長

菲律賓 Victoria Diaz 主任



## 主持與講者



### 王幼玲

國家人權委員會副主任委員

王幼玲早年為報社記者，主跑社會運動路線，關懷弱勢族群並組織工會，參與勞工運動。後任職中央及地方勞工及社會行政主管機關，熟悉勞工權益及社會福利。而後轉進公民社會，擔任「身心障礙聯盟」秘書長，倡議障礙者人權。在本會成立以前即獲聘擔任總統府人權諮詢委員會委員，多次提出包括身心障礙者權益、心理社會障礙觸法者處遇、監獄人犯的人權問題。擔任人權委員期間關注移工的權益，進行遠洋漁工勞動人權及「移工如何在異鄉撫育孩子」調查研究，並發布專案報告。



### 葉大華

國家人權委員會人權委員

葉大華為資深臺灣青少年權益倡導者，推動青少年政策與人權長達 25 年，於擔任「臺灣少年權益與福利促進聯盟」秘書長期間，帶頭催生與落實 18 歲公民權運動，並長期關注青年貧窮、媒體自律、建教生及青少年勞動權益、兒少人權議題，為世代正義發聲。曾受聘為總統府人權諮詢委員會委員、行政院兒童及少年福利與權益推動小組委員。目前於國家人權委員會參與 CRC 第 2 次國家報告獨立評估意見之撰擬，及兒少人權監測機制、校園師對生暴力處理機制、境外學生在臺就學權益相關專案之調查。



## Anne Hollonds

澳洲國家人權委員會 兒童委員

Anne Hollonds 是澳洲國家兒童委員會的委員。

Anne 盡忠職守地監督政策和立法，以保障及促進兒童權利。

Anne 曾任澳洲家庭研究所的主任，並在政府和非政府機構擔任執行長長達 23 年，專注於兒童和家庭福祉的研究、政策和實踐。

作為心理學家，Anne 在前線實務工作中有廣泛的經驗，包括兒童保護、家庭和性暴力、心理健康、兒童和家庭諮詢、親職教育、家庭法律諮詢和社區發展。

Anne 目前參與多個專家諮詢小組，包括家庭法律委員會、澳洲兒童虐待研究、新南威爾士州家庭和性暴力委員會、國家計劃諮詢小組 (NPAG) 和澳洲兒童保護中心諮詢委員會，貢獻良多。

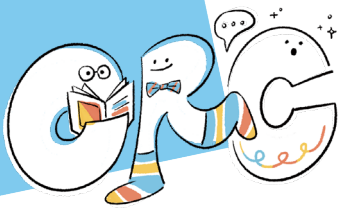


## Bruce Adamson

- 全球非政府組織「兒少友善治理計畫」副主席
- 蘇格蘭兒童與青少年委員 (Children and Young People's Commissioner Scotland, CYPCS) 2017-2023

Bruce Adamson 教授是全球非政府組織「兒少友好治理項目 (Child Friendly Governance Project)」的副主席，該組織的行動以幫助兒少為核心。從 2017 年至 2023 年，Bruce 擔任蘇格蘭兒童和青少年專員。在與兒少直接合作的過程中，他的辦公室推動了關於刑事責任年齡、體罰兒童以及將《聯合國兒童權利公約》(UNCRC) 納入蘇格蘭法律的立法變革。Bruce 是一名在三個司法管轄區具有資格的律師，並曾擔任蘇格蘭兒童小組成員 (Scotland's Children's Panel) 13 年。他曾作為人權專家在超過 20 個國家為聯合國、歐洲理事會、歐盟、歐安組織、聯合國開發計劃署和世界衛生組織工作。他曾是歐洲兒童專員網絡和蘇格蘭兒童法律中心的主席。Bruce 剛剛結束了在格拉斯哥大學 (University of Glasgow) 法學院的教授任期。





## 主持與講者



### **Nuala Ward**

愛爾蘭兒童監察使辦公室 (Ombudsman for Children's Office , OCO) 調查組組長

愛爾蘭兒童申訴專員辦公室的調查總監



### **Ma. Victoria "Bing" S. Diaz**

菲律賓國家人權委員會兒童權利中心主任

主持與講者



# 兒少如何參與公共議題

主持人：林文程 委員

分享人：

蘇格蘭 Finlay Anderson

愛爾蘭 Aisling、Alfie

台 灣 劉融諭

澳 洲 Bella、Sebastian、Ruben





## 主持與講者



### 林文程

國家人權委員會人權委員

自 2020 年 8 月 1 日起擔任監察委員之前，林文程博士是國立中山大學中國與亞太研究所的特聘教授，國家政策研究中心主任，以及台灣日本研究學會會長。林博士曾於 2003-2004 年擔任國安會的總統資深顧問（政府部長級職位），2006-2010 年擔任台灣民主基金會總裁，2016-2020 年擔任亞太和平研究基金會總裁。他還曾於 2006-2007 年和 2009-2015 年擔任國立中山大學社會科學院院長。在 2003 年加入國安會之前，林博士是國立中山大學中國大陸研究所和中山美國中心的主任。林博士獲得了美國塔夫茨大學弗萊徹法律與外交學院的 MALD 和博士學位。



### Finlay Anderson

- 前蘇格蘭兒童與青少年委員辦公室 (Children and Young People's Commissioner Scotland, CYPCS) 青年諮詢顧問
- 前蘇格蘭青年議會 ( Scottish Youth Parliament ) 委員

Finlay Anderson 是蘇格蘭兒童和青少年委員會的前任年輕顧問，他在各項兒童權利議題皆擁有豐富經驗，規模涵蓋地方與國家層級。





## 劉融諭

- 第二屆中央兒童及少年代表團
- 第六屆教育部國教署青少年諮詢代表
- 社團法人臺灣一滴優教育協會常務監事

曾任第五屆行政院兒權推動小組委員。

我來自台灣的中部偏鄉地區，現在就讀生化科技學系大二，因為我的成長經驗對於城鄉差距的議題非常有感受，因此我和朋友一起成立一個全國性的教育協會，希望能改善全國的教育環境，同時也能讓學生的聲音進入到政府與社會中，也期望台灣的社會環境能夠更加重視人權。



## Bella

Bella 來自卡烏納地區（阿德萊德），最近在阿德萊德大學完成了環境政策與管理學士學位。她對環保主義極有興趣，也對氣候變遷行動和反對歧視懷抱熱忱。她在全國範圍內參與排球比賽和教練工作，並從中學習到很多關於連結和社區的知識。她希望委員會能夠繼續吸引各式各樣的年輕人參與，也期望政府在決策政策時能重視他們的生活經歷和觀點。





## 主持與講者



### Sebastian

Sebastian 是來自昆士蘭州布里斯班的年輕人。他十歲時從歐洲移民到澳大利亞。Sebastian 是昆士蘭大學的理科學生，熱衷於讓自閉症者和年輕人參與政府決策。他相信政府和年輕人一起合作能實現真正的進步。

Sebastian 參與了“Engage!” 的開發，作為青年指導委員會的首屆成員，他很高興能參與“Engage!” 的實施工作。他同時為國家自閉症戰略的監督委員會成員，並參與該戰略的開發，呼籲應納入年輕人的意見及生活經歷。

閒暇之餘，Sebastian 代表澳大利亞和昆士蘭參加橋牌比賽，是一名橋牌國家大師。Sebastian 是《星球大戰》和樂高的狂熱粉絲，並且對政治非常感興趣。



### Ruben

Ruben 是青年指導委員會中最年輕的成員。他出生於墨爾本，但過去五年一直居住在西澳州的珀斯。作為中學領袖，Ruben 能在同齡人面前自信地發言，展現他真誠開放的交流風格。他在參與社區活動時展現了真實的自我，鼓勵其他人有信心分享自己的故事並讓他們的聲音被聽見。由於他的生活必須與 \*tic disorders 共存，這也讓他擁有堅韌、同情和共情等美好特質。Ruben 的主要目標是能夠與志同道合的人建立聯繫，並通過各種機會展示領導才能，作為青年指導委員會的一部分。他期待與來自不同背景的人建立聯繫，並通過有趣的方式為澳大利亞的青年做出貢獻。

\* tic disorders 簡寫為 TD，常譯為抽動症，會不由自主地出現突發性、快速、反覆、無節率的一個部位或多部位肌肉的運動抽動，或發聲抽動。



# 兒少代表培力機制

主持人：田秋堃 委員

分享人：

蘇格蘭 Ellie Craig

愛爾蘭 Caoimhe Acres

台 灣 鄭天立



## 主持與講者



### 田秋堃

國家人權委員會人權委員

田秋堃早年投身民主運動，後因深感環境生態的重要，投入環保運動至今。擔任立法委員期間成功推動《再生能源發展條例》、《溫室氣體減量及管理法》、《海洋委員會海洋保育署組織法》、《國家海洋研究院組織條例》之立法，以及《食品安全衛生管理法》多次修法。監察委員任內展開有關食品安全、環境、能源轉型、兒童福祉與教育權等調查報告，並督辦國家人權委員會「兒少安置機構及校園性侵」的系統性訪查研究。



### Ellie Craig

蘇格蘭青年議會 ( Scottish Youth Parliament ) 主席

Ellie Craig 是蘇格蘭青年議會 ( Scottish Youth Parliament ) 的主席，也是格拉斯哥卡思卡特 ( Glasgow Cathcart ) 的青年議員 ( MSYP )。作為主席，Ellie 領導該組織及其理事會，確保蘇格蘭青年議會始終以青年為主導，並將這一使命貫徹所有工作。除了擔任主席外，Ellie 還是蘇格蘭國家青年資訊與公民慈善機構 Young Scot 的受託人。

同時，Ellie 也領導蘇格蘭青年議會的「The Right Way」計畫，該計畫旨在支持官員有意義地讓年輕人參與他們的工作。Ellie 在格拉斯哥大學主修政治和社會學，目前休學一年。閒暇時，Ellie 透過她的「Grieving and Growing」運動，致力於兒童喪親問題。不僅如此，她也有一個青年看護者中心擔任兼職青年工作者。





## 鄭天立

- 第二屆中央兒童及少年代表團
- 行政院兒童及少年福利與權益推動小組 兒少委員

目前是一名 17 歲的高三自學生。喜歡動植物、文學、藝術和旅行，憧憬未來可以成為多元的壯遊藝術家。

邁入自學第六年，在公眾參與的路上持續耕耘，去年卸任了台南市的兒少代表，目前是中央第二屆的兒少代表。高一開始涉獵社區總體營造和地方創生相關的課程及實作，開拓視野也鍛鍊轉換各種視角的能力。

因為喜歡創作圖文、繪本，也陸續獲得一些獎項的鼓勵，所以經常以創作的方式，記錄各方參與時的感悟、旅行的體驗，以及自學生活中的所思所想和對議題的看法，希望透過這樣的呈現，深入淺出吸引大眾了解。



## Jamie Dunlop

蘇格蘭青年議會 (SYP) 執行長

Jamie Dunlop 是蘇格蘭青年議會 (SYP) 的執行長。他負責該組織日常運營，擔任 SYP 理事會與員工團隊之間的聯繫，採取慈善治理，並實施策略計劃，支持年輕人實現他們的權利，讓他們的聲音被決策者聽到。Jamie 畢業於鄧迪大學 (University of Dundee)，獲得社區教育榮譽學士學位 (BAHons)，並擁有 18 年的青年工作經驗。他在 SYP 工作了 11 年，曾任副執行長，於 2023 年晉升為執行長。Jamie 也是 CLD 標準委員會執行委員會的成員和 Dynamic Earth 教育信託基金的受託人。他熱愛閱讀和野外游泳。





# 兒童權利監測機制 — 葉大華


 國家人權委員會  
 NATIONAL HUMAN RIGHTS  
 COMMISSION, TAIWAN

2024 CRC Symposium on  
 Children's Rights Monitoring  
 and Young People Participation  
**CRC 35**  
 兒童權利監測 & 兒少參與

## 兒童權利監測機制在臺灣

國家人權委員會  
 葉大華委員

2024 .08.20 TUE

2024 CRC Symposium on  
 Children's Rights Monitoring  
 and Young People Participation  
**CRC 35**  
 兒童權利監測 & 兒少參與

## 國家人權機構與兒童權利促進的關係

### CRC第2號一般性意見


#### 獨立國家人權機構對保護和增進兒權的作用

(概述)

委員會發表第2號一般性意見的目的是：

鼓勵締約國「建立促進和監督執行《公約》的獨立機構」，已經建立這類機構的國家，委員會呼籲它們審查其地位及其在促進和保護《兒童權利公約》和其它有關國際文書所規定兒童權利方面的效力。

每個國家都需要有一個負責增進和保護兒童權利的獨立人權機構。不管其形式是什麼，均應能夠獨立有效地監督、增進和保護兒童權利。





## 國家人權機構與兒童權利促進的關係

### CRC第2號一般性意見

### 獨立國家人權機構對保護和增進兒權的作用 委員會建議應開展之工作清單（例示，非全部）

#### 01. | 受理申訴、進行調查

- 個人
- 涉及兒權問題

#### 02. | 提出意見、建議、報告

- 針對增進和保護兒權問題
- 監督政府兒權落實狀況，定期蒐集統計或其他資料
- 針對收容所、照護機構進行訪問

#### 03. | 審查、促進國內法律、規章和作法

- 相關法律和作法是否有效保護兒權
- 促進國內法律、規章及作法符合CRC（兒童最佳利益、尊重兒童表意等），並提供諮詢
- 確保國家經濟決策者制定和評估計畫時考慮兒權

## 各國兒童權利機制設立模式

#### 01. | 國家人權機構亦是兒童權利機制

- 同時將國家人權機構作為兒童權利機制，主要以「人權監察使」或是「人權委員會」模式成立國家人權機構的國家，採用此模式。
- 代表國：澳洲、菲律賓、印尼、蒙古…等，共44國，約佔54%。

#### 02. | 分別設立國家人權機構及兒童權利機制

- 在國家人權機構之外設立獨立的兒童權利機制（包括中央或地方層級）。
- 代表國家例如：愛爾蘭、挪威、泰國、捷克…等，共29國，約佔36%。

#### 03. | 監察使作為兒童權利機制

- 主要是「非以人權監察使模式」成立國家人權機構的國家，採用此模式。
- 代表國：荷蘭、法國、希臘…等，共8國，約佔9.9%







## NHRC Taiwan

### 國家人權委員會

**成立  
時間**

2020年8月1日正式運作

**依循巴黎原則**

與所有能影響人權狀況之重要利害關係人，包含非政府組織、民間團體、國會進行合作與聯繫。

**委員  
組成**

主任委員、7位當然委員、2位遴派委員；包含關注兒少、性別、身心障礙者、族群等人權議題之專家，委員組成具備多元性。

**幕僚  
單位**

共分三組，39人。主責研究企劃、訪查作業、教育交流等工作。

**諮詢  
顧問**

學者專家與民間團體代表  
共15位



## NHRC Taiwan

### 國家人權委員會 法定職權

**01.**

對涉及酷刑、侵害人權、歧視之事件進行調查

**02.**

對國家人權政策提出建議

**03.**

對重要人權議題提出專案報告

**04.**

協助政府機關推動批准或加入國際人權文書並國內法化

**05.**

提出修憲或修法之建議

**06.**

監督政府推廣人權教育

**07.**

與機關及組織合作，促進人權之保障

**08.**

對政府機關所提之國家報告，撰提獨立之評估意見

**09.**

其他促進及保障人權相關事項



## 促進兒權及獨立監督機制

2024 CRC Symposium on  
Children's Rights Monitoring  
and Young People Participation  
**CRC35**  
兒童權利監測及兒童參與

### 2017年 第一次CRC國家報告國際審查結論性意見

14. 無論是成立國家人權機構內設監督兒童權利的專責單位 或 兒童監察使辦公室或設置兒童權利委員，都不宜再延遲。

15. 以遵循第2號一般性（2002）意見，國家人權機構的體制應依巴黎原則，尤應以對兒童有敏感度的方式接受、調查和處理由兒童或代表兒童提出之有關公私部門的申訴，並確保其隱私和保護。



## 促進兒權及獨立監督機制

2024 CRC Symposium on  
Children's Rights Monitoring  
and Young People Participation  
**CRC35**  
兒童權利監測及兒童參與

### NHRC 2021年 發布CRC獨立評估意見第29-31點

各國際公約審查委員均相當重視獨立的國家人權機構，並期待該機構負有獨立職權，監督權利落實狀況。



### 本會建議

政府應參酌《CRPD 施行法》，儘速修正《CRC施行法》，明定兒童權利監督機制之內涵。





## NHRC2023-2026中程策略計畫 研議兒童權利監測機制

2024 CRC Symposium on  
Children's Rights Monitoring  
and Young People Participation  
**CRC35**  
兒童權利監測及兒少參與

### 2022年CRC第2次國家報告國際審查結論性意見

12.IRC關切本會能否依據CRC第2號一般性意見，帶頭全面促進兒少權利，並確實處理兒少權利受侵害之案件。

建議政府於NHRC內設立一個人員、預算充足且訓練有素的單位，全面處理兒少權利問題，或考慮設置獨立的兒少權利機構。



## NHRC2023-2026中程策略計畫 研議兒童權利監測機制 執行重點

2024 CRC Symposium on  
Children's Rights Monitoring  
and Young People Participation  
**CRC35**  
兒童權利監測及兒少參與

1 研提我國建立兒童權利監測機制之可行策略與修法建議

撰提「依據CRC第2號一般性意見檢視本會做為兒童權利監測機制之限制挑戰與可行方案」做為推動相關修法倡議行動參考。

2 評估行政院研訂六大權利項目人權指標周延性並研提建議

蒐整UNICEF發展之「SDGs-CRC」相關指標，做為檢視行政院研訂六大權利項目人權指標是否符合CRC等相關國際人權規範之參據。

3 依據聯合國CRC相關監測指標，發展出本會重要之兒童權利監測指標

針對「**行政院未優先發展，但涉及兒少受教育權、公共事務參與權、受經濟剝削兒少、兒少司法權益重要議題以及涉及原住民兒少、不利處境兒少群體之關鍵指標**」邀集兒少代表、不利處境兒少、相關利害關係人、NGO、專家學者共同研議，以發展本會的全面性、跨機關，且符合CRC等相關國際人權規範之監測指標。



## NHRC2023-2026中程策略計畫

### 研議兒童權利監測機制 執行重點

#### 4 推動建立具友善性、可近性之兒少申訴機制

製作兒少申訴教學影片，提供兒少申訴前的「心理準備」與「行動步驟」。

未來將配合本會於今年訂定的《國家人權委員會處理人權陳情申訴案件作業要點》及《國家人權委員會處理人權陳情申訴案件應行注意事項》，與兒少申訴案件主要相關的主管機關(教育部、衛生福利部、法務部、勞動部等)進行協作，擴大宣導本會兒少申訴案件受理及轉介機制。

#### 5 加強國際交流,提升本會促進與保障兒童權利專業量能

辦理CRC 35週年國際交流活動，納入兒童權利監測機制議題，汲取國際經驗，並預計於113年10月赴菲律賓考察訪視國家人權機構團體。

## 促進兒權及獨立監督機制—兒少申訴機制

### CRC獨立評估意見第54-58點

2020年— 2021年6月

全國中央及地方政府機關「兒少申訴／陳情案件」占「總申訴／陳情案件」數之4.6%。

兒少自行申訴案件僅占所有兒少申訴案件約17%

#### 教育體系申訴機制仍有缺失：

- 申訴兒少個資或身分易被洩漏
- 申訴資訊及管道不透明
- 申訴案件被受理後未主動聯繫申訴兒少，處理狀況難以追蹤
- 學生申訴評議委員會成員未利益迴避，恐影響申訴結果之公信力

#### 本會建議

各級政府及學校應蒐集兒少意見，建置符合友善兒少申訴6項指標之申訴機制，並廣泛宣傳相關申訴資訊及管道。





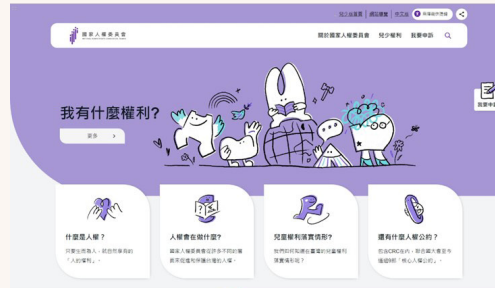


## 促進兒權及獨立監督機制—兒少申訴機制

2024 CRC Symposium on Children's Rights Monitoring and Young People Participation  
**CRC35**  
兒童權利監測及兒少參與

### 推動建立具友善性、可近性之兒少申訴機制

- 建置**國家人權委員會兒少版網頁**，讓兒少瞭解自身權利外，亦有線上申訴按鈕，並於監察院並設置兒少專用諮商室，強化隔音及隱密性，方便兒少提出申訴。
- 於本會網站、Youtube頻道及社群等處提供**兒少申訴教學影片**，提供兒少「心理準備」與「行動步驟」等協助。



## 促進兒權及獨立監督機制—兒少申訴機制

2024 CRC Symposium on Children's Rights Monitoring and Young People Participation  
**CRC35**  
兒童權利監測及兒少參與

### 兒少申訴教學影片（遇到不合理對待，提出申訴的三個步驟）

### How to take action : An example of School Incident



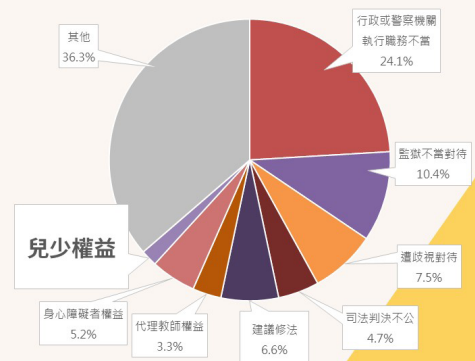


## 促進兒權及獨立監督機制—兒少申訴機制

2024 CRC Symposium on  
Children's Rights Monitoring  
and Young People Participation  
**CRC 35**  
兒童權利監測及兒少參與

### 國家人權委員會申訴案件統計

- 期間：2020/8/1~2024/7/31
- 申訴案件總數：**247件**  
其中與兒少權益相關申訴共4件（約佔1.9%）  
包含由兒少本人提出之1件申訴。
- 4件申訴案分別包含：非婚生子女的母親國籍問題、申訴者認為兵役延長政策變更未聽取兒少代表意見、已歸化台灣國籍之外籍配偶之子女國籍問題、自閉症兒童國中入學行政單位通知有瑕疵

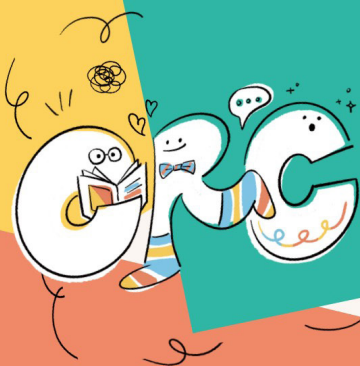


國家人權委員會  
NATIONAL HUMAN RIGHTS  
COMMISSION, TAIWAN

2024 CRC Symposium on  
Children's Rights Monitoring and  
Young People Participation  
**CRC 35**  
兒童權利監測 & 兒少參與

# THANK YOU

謝謝您的聆聽





兒童權利監測國際交流座談

台北  
2024 年 8 月

**Bruce Adamson**  
格拉斯哥大學法學院教授

兒少友善治理計畫 ( Child Friendly Governance Project ) 副主席

Cattanach 信託研究員

前蘇格蘭兒童與青少年委員代表  
( Children and Young People' s Commissioner Scotland )  
歐洲兒童監察員網絡主席  
( European Network of Ombudspersons for Children )

電子信箱 : [bruce.adamson@gmail.com](mailto:bruce.adamson@gmail.com)

電話 : +44 7 591 200 398

推特 : [bruce\\_adamson](https://twitter.com/bruce_adamson)

領英 : [linkedin.com/in/bruce-adamson-69543b45](https://www.linkedin.com/in/bruce-adamson-69543b45)



Finlay Anderson  
(人稱代名詞：他)

前蘇格蘭兒童與青少年委員代表  
( Children and Young People' s Commissioner  
Scotland )

Dumfries & Galloway 青年委員會主席

#IWill Scotland Ambassador

倡議董事會受託人合夥人  
( Partners in Advocacy Board Trustee )

電子信箱： finanderson1210@gmail.com

推特： Finlay\_And1210

*We the peoples of the United Nations determined to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow and suffering, to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small, and to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained, and to promote social progress and better standards of life in larger freedom, and for these ends to practice tolerance and live together in peace with one another as good neighbors, and to unite our strength to maintain international peace and security, and to ensure, by the acceptance of principles and the institution of methods, that armed force shall not be used, save in the common interest, and to employ international machinery for the promotion of the economic and social advancement of all peoples, have resolved to combine our efforts to accomplish these aims*

基礎







第2號一般性意見書 (2002) 獨立的國家人權機構的角色是促進及保護兒童的權利

第5號一般性意見書 (2003) 執行兒童權利公約的一般性措施

## GENERAL COMMENT NO. 2 (2002) THE ROLE OF INDEPENDENT NATIONAL HUMAN RIGHTS INSTITUTIONS IN THE PROMOTION AND PROTECTION OF THE RIGHTS OF THE CHILD

General Comment 2 explains how people like Children and Young People's Commissioners can best protect children's human rights.

- Help children, young people and adults understand children's human rights.
- Make sure children and young people know how to contact them.
- Listen to all children and young people's views and make sure others do too.
- Involve children and young people in their day to day work.
- Work closely with children's and young people's organisations.
- Be able to investigate where children's human rights are not being respected.
- Report back to the United Nations Committee on the Rights of the Child on how their country's government is respecting children's human rights.

The Committee also says that like other national human rights institutions, Commissioners should be independent of government.

## GENERAL COMMENT NO. 5 (2003) GENERAL MEASURES OF IMPLEMENTATION OF THE CONVENTION ON THE RIGHTS OF THE CHILD

The 'General Measures of Implementation' are the parts of the UN Convention on the Rights of the Child which set out what governments should do to respect children's human rights.

- Governments need to do everything in their power to respect children's human rights. They should make sure that they provide the most money they can to make that happen.
- Governments should make sure that children and young people know what their rights are.
- Governments should help adults understand how to respect those rights.
- When governments are reporting back to the United Nations about what they have done to respect children's human rights, they should make sure that those reports are available to everyone, including children and young people.

## 委員代表的角色：



2003年，蘇格蘭議會想要藉由在兒童與青少年委員中設立獨立、受人矚目、具影響力的職位，「真正做出改變」，其責任為促進與保障所有蘇格蘭 18 歲以下的人，或是 21 歲以下受到照護或特別照護經驗的青少年的權利。





“““

This gives us the chance to make a real difference by creating an independent, high-profile and influential post. ... the most significant legacy that we, as members of parliament, can leave our children and our children's children.

這讓我們有機會藉由設立獨立、受人矚目、具影響力的職位來做出改變... 這是身為議會成員的我們可以傳承給我們的孩子和孩子的孩子重要的精神。



世界上最棒的工作



## 蘇格蘭



蘇格蘭 – 550 萬人口 ( 100 萬為兒童 )  
歐洲議會 – 8.2 億人口 ( 1.5 億為兒童 )



HOGWARTS SCHOOL  
OF WITCHCRAFT AND WIZARDRY





## 兩個國會

愛丁堡  
蘇格蘭議會



倫敦  
下議會

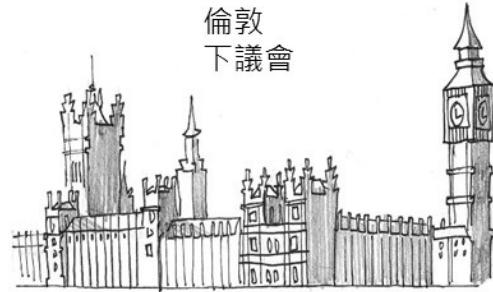


illustration @ alex leonard





# 兒童權利監測機制 -- Bruce Adamson



## 兒童與青少年 委員 (蘇格蘭) 法案 2003

### Commissioner for Children and Young People (Scotland) Act 2003

2003 asp 17

The Bill for this Act of the Scottish Parliament was passed by the Parliament on 26th March 2003 and received Royal Assent on 1st May 2003

An Act of the Scottish Parliament to provide for the establishment and functions of a Commissioner for Children and Young People in Scotland; and for connected purposes.

#### The Commissioner

#### 1 Establishment

- (1) There is to be a Commissioner for Children and Young People in Scotland.
- (2) Schedule 1 makes further provision about the Commissioner.

#### 2 Appointment

- (1) The Commissioner is to be an individual appointed by Her Majesty on the nomination of the Parliament.
- (2) A person is disqualified from appointment as the Commissioner if that person is, at the date when the appointment is to take effect, or in the year prior to that date has been— (a) a member of the Parliament; (b) a member of the House of Commons; or (c) a member of the European Parliament.
- (3) The Commissioner is to be appointed for such period, not exceeding five years, as the Parliamentary corporation may determine.
- (4) A person who has been appointed for one period as the Commissioner may be appointed for a second period (whether or not consecutive) but not for any additional period.

#### 3 Removal

- (1) The Commissioner may be removed from office by Her Majesty if—

2

*Commissioner for Children and Young People (Scotland) Act 2003 asp 17*

- (a) the Commissioner so requests; or
  - (b) the Parliament has passed a resolution for removal on the ground— (i) that the Commissioner has breached the terms of appointment; or
- (ii) that the Parliament has lost confidence in the Commissioner's willingness, ability or suitability to carry out the functions of the office.

- (2) A resolution for removal of the Commissioner, if passed on a division, must be voted for by not less than two thirds of those voting.

#### Functions

#### 4 Promoting and safeguarding rights

- (1) The general function of the Commissioner is to promote and safeguard the rights of children and young people.
- (2) In exercising that general function the Commissioner is, in particular, to—
  - (a) promote awareness and understanding of the rights of children and young people;
  - (b) keep under review the law, policy and practice relating to the rights of children and young people with a view to assessing the adequacy and effectiveness of such law, policy and practice;
  - (c) promote best practice by service providers; and
  - (d) promote, commission, undertake and publish research on matters relating to the rights of children and young people.

#### 5 United Nations Convention and equal opportunities

- (1) In exercising functions under this Act, the Commissioner must comply with subsections (2) to (4).
- (2) The Commissioner must have regard to any relevant provisions of the United Nations Convention on the Rights of the Child.
- (3) The Commissioner must, in particular—
  - (a) regard, and encourage others to regard, the best interests of children and young people as a primary consideration; and
  - (b) have regard to, and encourage others to have regard to, the views of children and young people on all matters affecting them, due allowance being made for age and maturity.
- (4) The Commissioner must act in a manner which encourages equal opportunities and, in particular, the observance of the equal opportunity requirements.

#### 6 Involving children and young people

- (1) The Commissioner must encourage the involvement of children and young people in the work of the Commissioner.
- (2) The Commissioner must, in particular, take reasonable steps to— (a) ensure that children and young people are made aware of—

*Document Generated: 2017-04-18*

*Status:*

*Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Commissioner for Children and Young People (Scotland) Act 2003. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)*

## 我們的法案 ( 2003 )



我們藉由以下方式來促進及保障兒少的權利：

- 提升權利的意識
- 邀請兒童與青少年加入我們的工作
- 考量與兒童權利相關的法律、政策和實踐
- 溝通關於權利的最佳實踐







我在 2017 年成為  
委員代表時，到  
蘇格蘭各地詢問  
兒童及青少年他  
們希望我做什麼

他們希望我是...

兒少權利的擁護者！  
能跟我們密切合作的人！  
為我們發聲！  
不畏權力，勇敢表達！



於是我組成了一個青年  
顧問小組來幫助我。  
他們都是來自蘇格蘭，  
具有不同背景，參與我  
各個層面的工作。

他們都是人權捍衛者！



# 兒童權利監測機制 -- Bruce Adamson

兒童及青少年告訴我們

WHAT CHILDREN AND YOUNG PEOPLE TOLD US



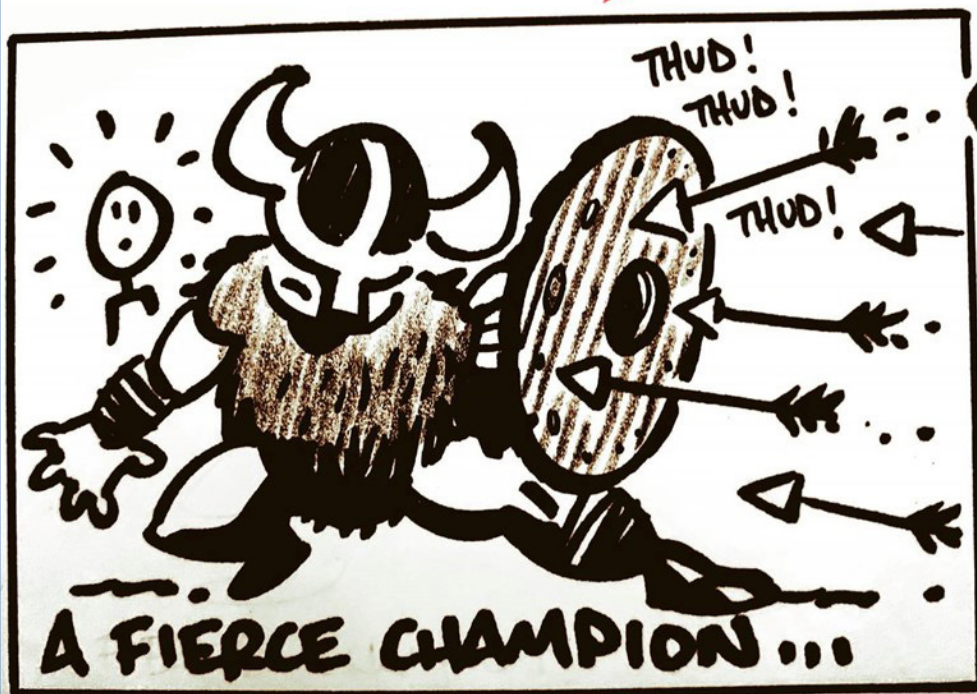
兒童及青少年表示他們想要委員代表具有「強大的傾聽能力」、「非常友善」，且...



CHILDREN AND YOUNG PEOPLE TOLD US THAT THEY WANTED THEIR COMMISSIONER TO HAVE 'BIG EARS FOR LISTENING', 'HAVE A GOOD HEART' AND BE

- 'GENEROUS'
- 'STUBBORN'
- 'LOUD'
- 'ENTHUSIASTIC'
- 'KIND'
- 'CLEVER'
- 'CONFIDENT'
- AND
- 'TO CARE'

## 兒童權利的強力捍衛者







## 我們的價值

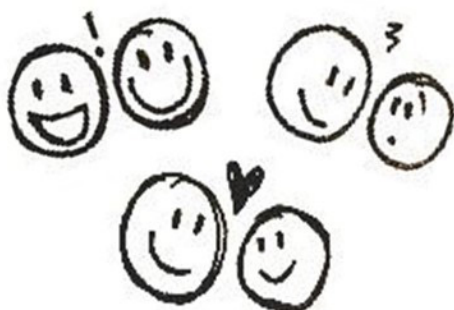


## 我們的任務



我們的任務是...

- 成為兒童與青少年人權的強力擁護者
- 確保法律的公平性





## 我們的任務



我們的任務是...

- 若兒童與青少年的權力未獲尊重則要求改革
- 支援人權捍衛者
- 確保成人了解兒童與青少年的人權
- 將兒童與青少年放在我們工作的核心

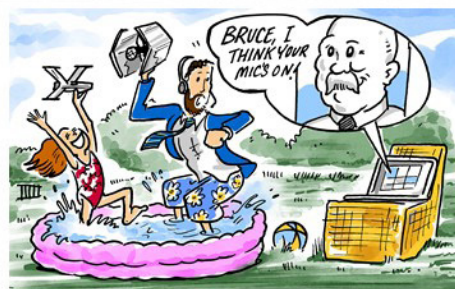


## 我們的辦公室





# 兒童權利監測機制 -- Bruce Adamson







## 青年顧問

<https://vimeo.com/810263102>



青年人權聚會2019



一起探索我們的權利

## 調查

### No Safe Place:

Restraint and Seclusion in Scotland's Schools



第一次調查：

**約束**是指—控制兒童或青少年的行動，防止他們移動

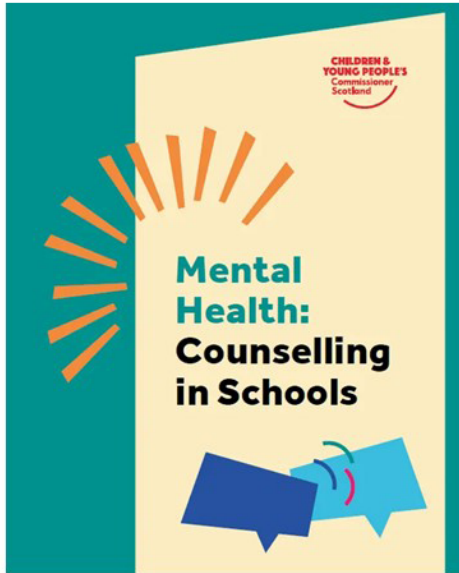
**隔離**是指—將兒童單獨關在房間或其他地方，且不允許他們離開

- 我們發現蘇格蘭關於約束和隔離的治理和監控有嚴重落差
- 我們向蘇格蘭政府和當地有關當局提出 22 項建議
- 我們致力於確保有落實改善





## 調查



最近一次的調查：  
全由青年顧問執行

- 所有兒童在學校都應有權取得諮商服務
- 當地有關當局應確保在學校營業時間、假期之外，以及學校的地點之外，都應視需求提供諮商服務
- 蘇格蘭政府應擴大提供學校諮商服務予所有蘇格蘭的小學和特殊學校
- 所有當地有關當局應向欲取得服務的兒童以書面提供明確的等待時間，且資訊應對兒童友善

## 兒童正義



聯合國委員會讚賞將最低年齡設為 15 或 16 歲的國家，並鼓勵各國將最低年齡調降至至少 14 歲

Ann Skelton  
聯合國兒童權利委員會

**"The UN committee commends states that set minimum ages of 15 or 16 and encourages states to set the minimum age to at least 14."**

Ann Skelton  
UN Committee on the Rights of the Child

**#12IsntLeading**



## 平等保護

2019年10月3日，蘇格蘭議會通過《兒童（平等保護）（蘇格蘭）法案》，代表蘇格蘭的兒童即擁有與成人相同免受親愛的保護。

自2004年以來，我們辦公室一直呼籲實施平等保護。

以懲罰為目的侵害兒童始終都應是違法行為，而我們先前的法律在國際人權法的觀點下是站不住腳的。



## 照護經驗

蘇格蘭的照護系統審查將於一月報告多個重要的人權主題：

- 融合 UNCRC
- 針對兒童與青少年的人權教育
- 支援勞動人口採取以權利為基礎的應對方式
- 倡議及法律建議
- 以權利為基礎的檢查和規範





## 糧食不安全

「最不公平的是政府明知道各家庭的生活困苦，但卻無任何作為。」  
Dumfries 青年委員會 12 歲的 John Adebola-Samuel



## 額外的支援需求

我很強壯，  
而且  
有時候我需要你們的幫助

- Shopping List - We need:
- more accessible transport buses, trains, taxis and travel training
  - to be warm enough.
  - to have somewhere to work.
  - to have accessible information.
  - better public understanding about being disabled.
  - to have necessary hygiene and care equipment - especially a good washing machine.
  - to have the need for love, and our pets.
  - to have enough money.
  - to feel safe.





## 策略性訴訟



自 2017 年起，我們參與數個有關兒少權利的案件。

- 無法申請公共資金
- 自由權遭剝奪
- 約束與隔離
- 工具組

**CHILDREN & YOUNG PEOPLE'S Commissioner Scotland**

未滿 18 歲？  
為您的人權發聲  
您所需要知道的事

**UNDER 18?  
YOUR HUMAN  
RIGHTS AT PROTESTS  
WHAT YOU NEED TO KNOW**

你有權取得並分享資訊  
你有隱私權  
你有權免於傷害或遭暴力侵害  
你有權瞭解你的人權和環境  
如果被警方扣留或逮捕怎麼辦？

All children under 18 who choose to protest (in person or online) have their human rights that are respected, protected and fulfilled.

Adults must think about what's best for you when making decisions that affect your life.

**You have the right to find out and share information**  
Information about climate movements, policies, and climate change should be widely available for you to access. You also have the right to know what's happening before and during a protest, including if you are held by police during a protest. You should be told what's happening and have the right to ask questions.  
You can also share information about climate movements, policies, climate change, and protests, so long as it does not harm or offend other people.

**You have the right to privacy**  
This is especially important for protests that take place online. For example, you shouldn't have anyone listening in to your personal conversations or reading your messages. In Scotland, the law has some exceptions to this when you, or someone else, is in danger.

**You have the right to be kept safe from harm or violence**  
You have the right to be protected when protesting. This includes from anybody who may act violently at a protest, and from all online abuse. The authorities should take steps to stop any violence. They should not stop you from protesting, unless you are in danger.

**You have the right to learn about your human rights and the environment**  
You have the right to learn about what your human rights are, when you can defend them, and about the environment, including climate change. This includes knowing when and how to protest.

**What happens if you're detained or arrested by police**  
Arresting you should always be the last possible option. But it might happen, and you have rights if it does.





# 兒童權利監測機制 -- Bruce Adamson

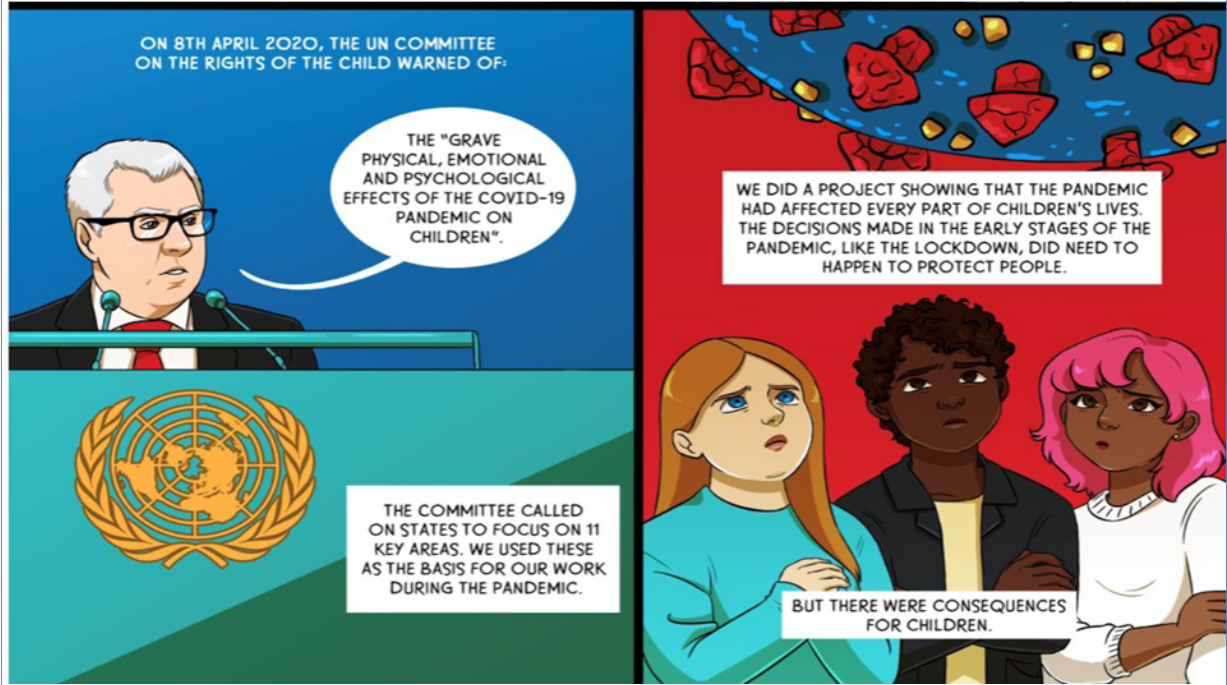
2020年4月8日，聯合國兒童權利委員會警告須注意：  
「COVID-19 疫情對兒童造成的嚴重生理、情緒和心理影響」

委員會呼籲各國著重在 11 項關鍵領域。我們將之視為我們在疫情期間的工作基礎。

## COVID

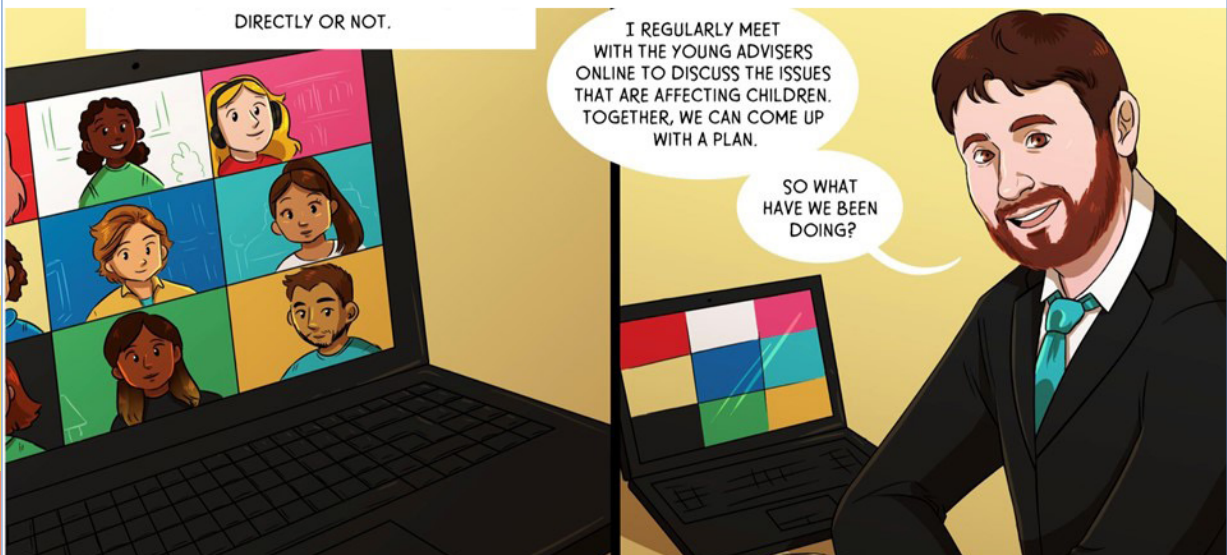
我們藉由推出相關計畫，顯示疫情已影響到兒童生活的各個層面。疫情初期所做的決定，例如封城，對於保護人民的確是必要的。

但是也對兒童造成一些後果。



## 線上辦公的轉變

我定期在線上與青年顧問交流，討論會影響兒童的議題，並一起制訂計畫。我們這陣子都做了些什麼呢？





**CHILDREN & YOUNG PEOPLE'S Commissioner Scotland**

## 我們的 2020 和 2021 年：兒少報告

Every year, we report to you about our work. This is our report for the year between April 2020 and March 2021, which began during the lockdown.

**關於我們**  
Bruce Adamson 是兒童與青少年委員代表，他的工作是促進、保護 18 歲以下或 21 歲以下有特別照顧經驗的兒少人權。他與團隊一起合力推動。

you're under 18 or up to 21 if you have care

**邀請你加入**  
與你直接共事對我們的工作很重要。以下是今年我們與各位一同採取的行動：

**We make sure adults in Scotland know more**

**將你的權利納入法案**  
我們辦公室長期都與兒童一起舉辦相關活動，期望將《聯合國兒童權利公約》納入我們的法案。這是我們保護你們權利最重要的方式。

**A FREEDOM CHAMPION FOR 2020**

Child (UNCRC) a part of our law. This is the most important thing we can do to protect your rights.

In March 2021 the Scottish Parliament voted to incorporate the UN Convention on the Rights of the Child into Scots law. It means that all laws we make will need to keep children's rights in mind.

**我們做了哪些努力？**  
2020 年 3 月英國因為新冠病毒疫情而封城，我們也開始應對因此而造成你們權利的影響。

**INCORPORATION MEANS CHILDREN'S VOICES WILL BE HEARD. THEY WILL BE LISTENED TO AND KNOW THAT THEY MATTER.** Abigail, Young Adviser

### WHAT HAVE WE BEEN DOING?

The UK went into lockdown because of coronavirus in March 2020 and we started working on the impact this was going to have on your rights.

- We were most worried about schools closing, families living in poverty, and mental health.
- We worked with children's rights experts to assess how coronavirus was affecting children.
- And this helped adults understand how decisions and laws affected you.
- When exams were cancelled, we told the Scottish Government and the SQA they had to listen to young people.
- We worked with the World Health Organization to look at how schooling could continue while keeping everyone safe.
- We reported to the UN on how well the government is doing on children's rights.
- We have been campaigning to protect children from harm. A new law said adults can no longer use any physical punishment on children.
- We've told the Scottish Government about how important it is to speak to you about climate justice.

### OUR INVESTIGATIONS

Our Advice and

**我們的調查**  
我們的建議和調查團隊協助委員代表運用其力量，去調查影響兒童人權的議題。

locked up in prisons without proper laws being followed.

- Our previous work on restraint and seclusion in schools was used this year to make things better for children.

### 尋求建議

**GETTING ADVICE**

This year we helped even more people get advice on children's human rights.

They asked about loads of different things relating to Covid, like support for children with additional needs and rules around whole classes having to isolate.

### THANK YOU!

We want to thank you all for helping us this year. You are all incredible human rights defenders.

Special thanks to our out-going group of Young Advisers. We couldn't have championed children's rights without you by our sides.

### INVOLVING YOU

Working directly with you is essential to our work. Here are some of the ways that's happened this year...

- Our Young Advisers told us when their rights like education and health were not upheld in the pandemic.
- They helped us respond to issues such as poverty, education, digital exclusion, and mental health.
- They gave evidence to the Scottish Parliament and appeared at the United Nations.
- We spoke online to children all over the country so they could tell us about their experiences.

### PUTTING YOUR RIGHTS INTO LAW

Our office has been campaigning alongside children for a long time to make the United Nations on the Convention on the Rights of the Child a part of our law. This is the most important thing we can do to protect your rights.

In March 2021 the Scottish Parliament voted to incorporate the UN Convention on the Rights of the Child into Scots law. It means that all laws we make will need to keep children's rights in mind.

silenced parts of so more work has to happen.

### WHAT'S NEXT

Here are some of the things we're using...

- We'll continue to promote and protect children's human rights during the pandemic.
- We are going to hit the road and chat to as many of you as we can in person as long as Covid-19 measures allow! We can't wait to hear your views.
- We are working with three new groups of Young Advisers. They'll be telling us about the issues that matter to them like mental health.
- We're looking forward to supporting young human rights defenders to demand change at climate conference COP26 in Glasgow.

### 下一步？

我們預計...

## 蘇格蘭蓋爾語







## 人權捍衛者



2018年8月，我們組成了青年人權捍衛者行動小組。

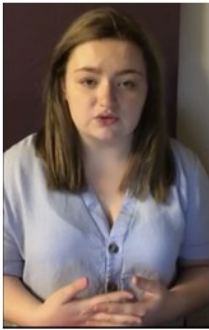
12名來自蘇格蘭的兒童人權捍衛者，年齡14-20歲，各自擁有豐富的人生經驗，每個人捍衛著不同的人權議題。

我們記錄了他們的故事和對於保護和賦能兒童人權捍衛者的支持建議。我們的報告《促進、保護、捍衛：兒童與青少年作為人權捍衛者的報告》總結一年來與200多名兒童合作的成果，探討在蘇格蘭身為青年人權捍衛者的意義。

## 2018 聯合國之日一般性討論



Myself, @SukiMSYP, @JohnWalkerMSYP, @JoshKenMSYP, @RMcCall\_MSYP, @Bruce\_Adamson, and Members of @Creative\_Voices are in the @ScotParl today for a video link with Wales leading up to the UN Day of General Discussion. A great way to show #SYPrights #HumanRightsDefenders



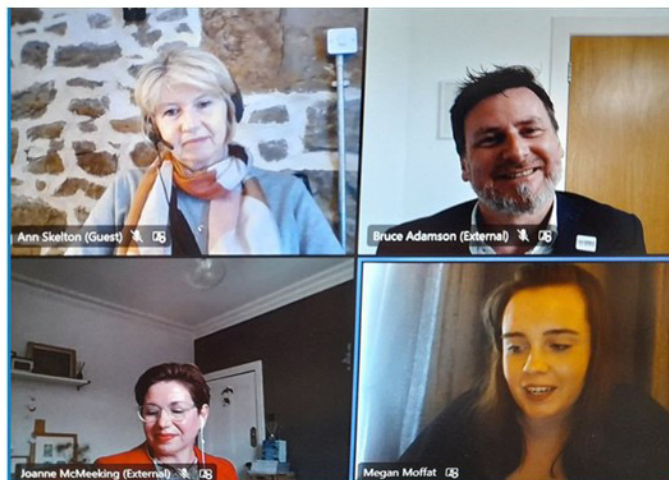
青年顧問 Hope 在人權理事會社會論壇上發言，討論貧困問題 (2020)

今天下午，我們與 Ann Skelton 教授、Bruce Adamson、@meganisfine、@meekmacs 的交流非常精采，且發人深省，也探討對聯合國提出關於兒童權利和替代照護的建議。



CELICIS @CELCIStweets · Jun 22, 2022

We had a fantastic and thought-provoking discussion this afternoon with Prof Ann Skelton, @Bruce\_Adamson, @meganisfine @meekmacs and about the recommendations from the @UN #DGD on Children's Rights and Alternative Care. (1/2)





## 與其他人權捍衛者交流



christina nomdo  
@NomdoChristina

A highlight of Saadiq's 🇿🇦 first day @UNGeneva was meeting @Bruce\_Adamson, Children and Young People' Commissioner Scotland @CYPSC after he presented at @UN\_HRC Universal Periodic Review process. #littlevoicesMUSTcount #littlevoicesDOcount



## 第 16 屆聯合國青年氣候變遷大會 (COY16)

- Lily, Young Adviser to Children and Young People's Commissioner Scotland
- Dr. Najat Maalla M'jid, United Nations Special Representative of the Secretary-General on Violence against Children
- Laura, 17, Shetland
- Mr. Bruce Adamson, Children and Young People's Commissioner Scotland
- Climate Changemakers: Members of Children's Parliament, Scotland







## General Comment

第26號一般性意見書-  
兒童權利與環境：5歲以下





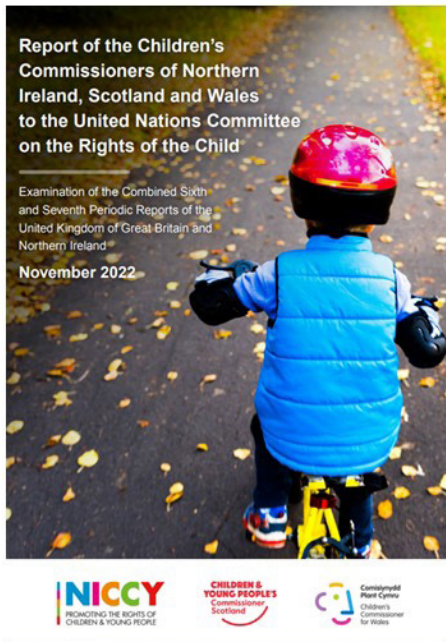
## General Comment

### 第26號一般性意見書- 兒童權利與環境：5歲以下



北愛爾蘭、蘇格蘭和威爾斯  
兒童委員代表向聯合國兒童  
權利委員會提交的報告

您的決定  
- 我們的生活、我們的權利、  
我們的聲音！





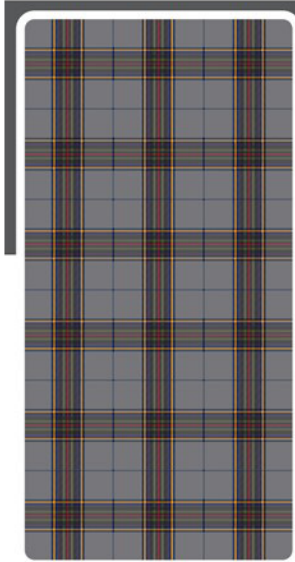


## 禁止酷刑委員會





## 全球唯一的人權捍衛者格紋



The origin of the Child Human Rights Defenders tartan is the 2018 United Nations Committee on the Rights of the Child Day of General Discussion which had the theme of child human rights defenders. Children from Scotland attended the event at the United Nations in tartan trews and kilts and made a major impression on international delegates.

There has been growing recognition in Scotland and globally of the role of children are playing as human rights defenders, particularly on issues such as climate justice. One of the themes that has developed is that child human rights defenders value the sense of identity and belonging that being a human rights gives to them. The young advisers to the office of the Children and Young People's Commissioner Scotland suggested a tartan as a uniquely Scottish way to capture that sense of identity in a way that also reflected Scotland's global leadership on the issue.



The tartan was designed by young human rights defenders and incorporates the following principles:

The grey background and black lines represents the challenges of standing up for human rights and reference a Māori proverb used by the Commissioner "He pōkēkē Uenuku i tu ai" which means "Against the dark cloud the rainbow stands out brightly" and symbolises the bravery of human rights defenders.

The colours which stand out brightly as a rainbow against the darkness are:

- Red** – symbolises stopping injustices and passion
- Yellow** - symbolises happiness, positive change & optimism
- Green** - symbolises growth, climate and nature
- Blue** – to represent Scotland, the Council of Europe and the United Nations – the human rights framework
- Purple** – represents youth, energy and the colour of our thistle

## 納入 UNCRRC

雖然還有其他方式來確保當責，但《兒童權利公約》明確強調了實施明確法律措施的重要性，並需有清晰的國內當責機制（見 GC 5）。

委員會的結論性意見強烈建議納入（UNCRRC）。





## 納入 UNCRRC 時程

- 2014 – 2017 - 推動活動
- 2017 – 蘇格蘭政府同意考慮納入 UNCRRC
- 2018 – 蘇格蘭政府同意納入，但並未制訂時程
- 2018 – CYP/Together Expert Advisory Group 專家諮詢小組推出法案草案
- 2019 – 蘇格蘭政府諮詢
- 2020 – 法案進入蘇格蘭議會討論
- 2021 – 法案一致通過後提交至最高法院審核，但因其範圍違反了英國議會的法案，被裁定為越權
- 2022 – 延遲與搪塞
- 2023 – 重新考慮，將範圍縮小到排除英國議會的法案
- 2024 年 2 月 16 日 - 御准後，蘇格蘭政府排除提前實施的可能性，因此將在最後可能的日期生效
- 2024 年 7 月 16 日 – 開始實施

1. Today the @ScotParl considers Stage 3 of the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Bill. If passed, following Royal Assent, it will come into force later this year! #UNCRCScotland



## 納入

### 完全、直接

在蘇格蘭議會權力範圍內，盡可能將《聯合國兒童權利公約》(UNCRRC) 及其任擇議定書納入法律

### 相容性義務

實現補救和修正

### 應注意責任

對兒童權利鼓勵採取積極態度

### 聯合國法理委員會

考慮解釋 UNCRRC 要求

在司法系統中列為優先事項 – 打擊權力

### 與時俱進

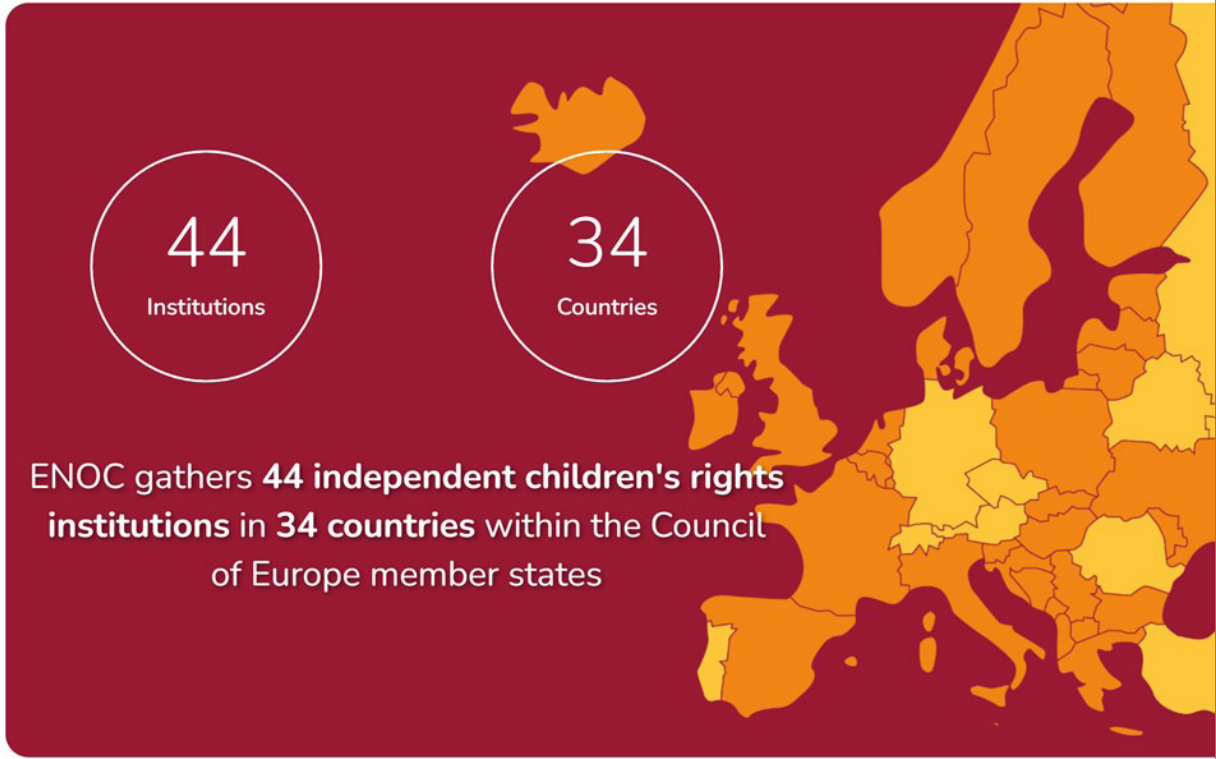
允許蘇格蘭議會權力改革

兒童權利影響評估 – 強制責任

兒童方案 – 包含報告進度以及讓兒童、青少年和兒童委員代表的要求

1. Today the @ScotParl considers Stage 3 of the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Bill. If passed, following Royal Assent, it will come into force later this year! #UNCRCScotland





歐洲兒童監察員網絡 (ENOC) 從歐洲議會會員國召集 34 國家的 44 個獨立兒童機構

**enoc** RECOMMENDATIONS ENYA 2021

**HEALTH**  
 - PROVIDE CHILDREN WITH ACCESS TO HEALTH CARE  
 - TAKE CARE OF MENTAL HEALTH  
 - PROMOTE FOR DISABLED CHILDREN  
 - RECORD LESSONS  
 - BUT DON'T LET THE "CRISIS" BE AN EXCUSE  
 - TRAINING OF PERSONNEL  
 - NEED FOR EQUIPMENT  
 - SPECIAL TOOLS  
 - NEED FOR INTERCULTURAL COMPETENCE

**POVERTY**  
 - PROVIDE BASIC GOODS TO ALL CHILDREN  
 - SUPPORT FAMILIES IN RISK  
 - OFFER POSITIVE ONLINE PLATFORMS FOR PARENTS  
 - FLEXIBLE SCHEDULES FOR PROFESSIONALS  
 - HELP RESEARCHERS  
 - ADAPT EDUCATIONAL TRAINING FOR ADULTS  
 - SUPPORT FAMILIES IN RISK  
 - ADULTS

**VIOLENCE & ABUSE**  
 - SUPPORT FOR VICTIMS  
 - SAFER SPACES  
 - RESEARCH IS NECESSARY TO AFFECTIVE POLICY OF PREVENTION  
 - INCREASED TRANSPARENCY (FOR COMMUNITIES)  
 - STOP VIOLENCE IN THE STREETS  
 - ADVISORY COUNCILS

**enoc** PARTICIPATION  
 - INVOLVE CHILDREN WITH DISABILITIES AND INTERSEX  
 - CHILD PARTICIPATION SHOULD BE PART OF THE CURRICULUM  
 - COLLECTIVE PARTICIPATION

**PLAY & LEISURE**  
 - PROMOTE SPACES FOR STREET ACTIVITIES  
 - MORE FUNDING IN THEIR SPACES & ACTIVITIES  
 - GOVERNMENTS SHOULD CONSIDER CHILDREN'S NEEDS FOR RECREATIVE ACTIVITIES: SPORTS OR CULTURE

**enoc** INFORMATION  
 - WE NEED TO UNDERSTAND WHY  
 - STOP STIGMATIZING YOUNG PEOPLE  
 - MORE FUNDS TO EXPLAIN BETTER  
 - VISIBILITY THROUGH LANGUAGE  
 - A CLEAR FORM

**DIGITAL ENVIRONMENT**  
 - LEARN TO STAY SAFE IN THE DIGITAL ENVIRONMENT  
 - SUPPORT FOR VICTIMS  
 - FAMILY SUPPORT

<https://vimeo.com/622322583>





## ENYA

青年對話談氣候正義  
2022

青年對話談保護與促進兒童權利  
2023



關於我們

WHO ARE WE?

WE WORK TO MAKE SURE THE LAWS THAT AFFECT YOUR LIVES ARE FAIR.

WE HELP YOU UNDERSTAND HOW VALUABLE AND IMPORTANT YOUR RIGHTS ARE.

WE MAKE SURE ADULTS IN SCOTLAND KNOW MORE ABOUT YOUR RIGHTS SO THEY CAN SEE WHERE THEY SHOULD MAKE CHANGES.

WE PUT YOU AT THE HEART OF OUR WORK AND WILL LISTEN AND LEARN FROM YOU.

WE WORK WITH YOUNG ADVISERS ON THE RIGHTS ISSUES THAT CHILDREN AND YOUNG PEOPLE HAVE TOLD US MATTER MOST.

WHO IS THE COMMISSIONER?

In May 2017, Bruce Adamson was given the job of Children and Young People's Commissioner for a six-year term. He is Scotland's third Commissioner since the role was created by the Scottish Parliament in 2003.

Every year we report to you about our work. This is our report for you for April 2021 until the end of March 2022. You can read the full report we sent to Parliament on [our website](#).

The Commissioner is someone with authority and powers to promote and protect the human rights of all children and young people in Scotland. That is everyone under 18, and everyone up to 21 who is in care or care experienced.

關於委員代表





# 兒童權利監測機制 -- Bruce Adamson

## 來自青年顧問小組的訊息

### MESSAGE FROM THE YOUNG ADVISERS GROUP

Our group of Young Advisers came together in 2021 after the Commissioner's office recruited a new team. We're aged between 14 and 17 and live all over Scotland. Some of us had previous experience and interest in defending children's human rights and some of us were completely new to it. What we all had in common was the desire to get involved and ultimately, make a difference through our work with the office.

That work has been diverse, and we've been able to throw ourselves into it – with plenty of support!

Our groups are:

**ENYA (European Network of Young Advisers) 2021:** We have international links with other young people across Europe through ENOC (European Network of Children's Ombudspersons) and worked on the theme of recovery from Covid-19.

**Mental Health Investigators:** We are examining school counselling provision.

**Governance:** We help the office make decisions about the direction of their work.

"I don't know what I was expecting but I wasn't expecting being a Young Adviser to be as much fun, or such a good experience. I thought 'oh this is just volunteering, I'll do a couple of things now and then but it won't really change much'. But it's honestly shaped me, it's changed who I am and how I act"

Lewis, 16, Young Adviser



"Becoming a Young Adviser has been a great way for all our voices as young people to be heard and for us to make a proper difference in the world."

Rennie, 15, Young Adviser

"I helped host a webinar. It was daunting but a great experience. It's so good when young people are supported and encouraged to meaningfully participate. Let's get our voices heard!"

Lewis  
Young Adviser  
#WeAreChildrenDay

"All young people have the right to health. But a lack of good quality nutritional meals can lead to an unhealthy child."

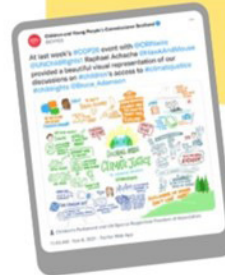
Sophie  
Young Adviser

Just some of the things we have done:

- Worked with other young advisers from across Europe to make recommendations on what help children and young people need to recover from the pandemic, like education, health and relationships.
- Spoke during the UN Climate Change Conference of Youth and continued to work on climate justice which is one of our main issues.
- Wrote about food poverty, disabled young people's rights, right to protest and produced a film about the rights of deaf children.

"My experiences of the ENYA forum 2021 are nothing but positive! The whole experience was fun no matter what session we were on. From a virtual tour to a live escape room, the whole experience was fantastic."

Ally, 17, Young Adviser



## 我們的工作

### WHAT DO WE DO?

"Every single day of delay of incorporation of the UNCRC is a day when children's rights are not protected in law."

Bruce Adamson, Children and Young People's Commissioner Scotland

### GETTING ON THE ROAD! 巡迴宣導

Making sure you are involved in what we do is essential. When we were allowed to travel after Covid restrictions, Bruce and the team embarked on a Participation Roadshow visiting children and young people across Scotland, making sure we didn't just go to cities but also the countryside and islands, including Shetland and Orkney.

We've sung in nurseries, run workshops in schools and rolled on mats learning judo. The important part was getting to where you live to hear what mattered to you.

### 將權利納入法條 - 納入 UNCRC

Alongside children and young people, we continued to fight for your human rights to become part of our law. Having your rights in law means that when they are not respected, you can challenge this in court.

The UNCRC contains rights covering all aspects of children's lives. On 16 March, 2021, after decades of campaigning, the Scottish Parliament unanimously voted for it to become a part of our law.

But it hasn't happened yet. The Scottish Government need to do some work on the law so that it can happen. This has taken too long already, and we have worked this year to press for the work that needs to be done to make this happen.

"Incorporation of the UNCRC will give young people a sense of security and it will really benefit their quality of life. They'll feel safe in the knowledge that their rights are in law."

Young person

"The Scottish Government needs to recognise that young people are crying out for help. We need more mental health support, we want our exams and our schooling to be sorted. We need them to be clear on restrictions, and we've been asking for that for so long. They are going to have to listen to us, and they have to make a change"

Young Consultant Aimee, 17, from Denny, Falkirk

### #蘇格蘭青年和COVID

就在 2020 年 3 月第一次封城之後，A Place in Childhood 這個組織立即集結蘇格蘭的年輕人（稱他們為青年顧問），舉行一系列線上工作坊，了解疫情對他們的影響

Shortly after the first lockdown began in March 2020, an organisation called A Place in Childhood (APIC) gathered young people from across Scotland (calling them Young Consultants) in a series of online workshops to find out how the pandemic was affecting them.

- In 2021, we supported APIC to continue their work with the 25 Young Consultants, aged between 11 and 17, and from Glasgow, Aberdeen, Edinburgh, rural Falkirk and rural Stirlingshire.
- They reflected on their return to school in autumn 2020 and explored their experiences throughout the second lockdown which began in December 2020.
- Their second report collected their findings and highlighted their 34 Asks to the Scottish Government for meaningful change to allow them "to feel young again".
- The Asks included "redesigning assessments for national qualifications" "recognising that teachers have struggled in the pandemic and that they need to be supported too" "schools and teachers ensuring that workloads are not overwhelming" making sure children and young people are listened to.
- The project then focused on listening to those who feel least heard over the pandemic including children with Long Covid, young carers, young people seeking asylum and younger children and children of prisoners.

The Young Consultants aim to create a 'manifesto for change' that will tell people in power what needs to happen to ensure children and young people are a key part of decision-making as the country recovers from the pandemic.

"It's important we know our rights and what to do when someone isn't upholding them."

A young person from Shetland





## 教育

疫情關係，蘇格蘭年輕人有兩個學期的 SQA 考試變得很混亂，嚴重影響他們的受教權。

### EDUCATION

Due to the pandemic, young people in Scotland have now faced disruption to SQA exams and assessments in two academic years. That has severely affected the right to education.

- We continued to press Scottish Government and the SQA to do more to support young people.
- We raised concerns with the SQA that their consultation on the 2021 appeals process was not accessible to young people and did not encourage them to participate.
- In April 2021, we highlighted that the SQA's Alternative Certification Model did not respect rights and needed to take exceptional circumstances into account, just as they are in years where there isn't a global pandemic.
- We also published information about how to ask for extra support at school.

"I feel like lessons weren't learned from the first year of the pandemic when exams were cancelled. Our teachers have tried their best but we've not had much communication from the people in charge. I've never spoken to an SQA representative in my life."  
Female pupil, All Saints Secondary School

Freedom from poverty helps all children flourish

"When you're poor, you give up on your dreams"  
Child reflecting on how living in poverty feels to them

## 貧窮是人權議題

### POVERTY IS A HUMAN RIGHTS ISSUE

Poverty needs to be addressed as it affects every single aspect of children and young people's lives, including ability to learn, mental and physical health, development, ability to socialise and engage in cultural activities and future opportunities.

In September, we responded to the Scottish Government's rapid consultation on an updated Tackling Child Poverty Delivery Plan, highlighting that child poverty is a political choice and is avoidable.

The Commissioner went to the UK Parliament and gave evidence on child poverty targets and called to maintain the £20 uplift in Universal Credit, which the Government intended to cut (it did in October 2021).

We worked with the Poverty and Inequality Commission to ensure young people's views informed the Commission's Child Poverty Scrutiny Report 2021-22. We worked with the Commission and Aberlour to deliver three workshops with young people aged between 12 and 17, including one session with our Young Advisers Group. In the sessions, the young people explored what child poverty meant to them, their thoughts on the actions being taken to reduce child poverty and what more needs to be done to tackle it.

## 坐牢的兒童

### CHILDREN IN PRISON

We continue to work to make Scotland a country which does not lock up children in prison.

No child should be in prison. Children need to be treated as children and we must look at what might have happened in their lives to get them to this point.

Children in prison have often had many upsetting and difficult challenges in their childhoods, like family breakdown, separation, and bereavement, and they are likely to have experienced abuse or neglect.

We helped the HM Inspectorate of Prisons for Scotland (HMIPS) carry out a health and wellbeing survey on everyone under-18 in the Young Offenders Institution at Polmont and 46% of the children who took part said they felt stressed and anxious all the time. Locking up a child is the most serious thing a government can do and they have to take account of their human rights.

## 違法/犯罪的兒童

### CHILDREN IN CONFLICT WITH THE LAW

We've continued our work to help children in contact with the police.

In Scotland, the age at which a child can be treated as a criminal and charged by the police is only 12. This is far too young; human rights experts say that it should be at least 14 and that an even higher age is better. We will not stop pushing the Scottish Government to change this.

## 被拘留前了解你的權利

### KNOW YOUR RIGHTS WHEN ENTERING CUSTODY

If you are under 18 and in custody, you still have human rights. No matter who you are or what you have done, you have the right to be treated fairly. That means you should get all the things you are entitled to and you should not be discriminated against if you are taken into police custody. In October, along with CYCJ, we produced a resource developed with young people currently in HMPYOI Polmont, as part of Youth Justice Voice's Inside Out participation project, called Know Your Rights When Entering Custody. We also have Vietnamese, Arabic, and Polish translations available.

## 法律與政策

### LAWS AND POLICIES

We use our human rights expertise to make sure that laws and policies that are being created or changed take into account children's human rights. This year we have submitted evidence to the Scottish Parliament, Scottish Government and international bodies like the UN. We have raised concerns about lots of human rights issues including the way the UK treats children coming to the country to seek asylum for their own safety, about the right to food, about making a new national care service work for those under 18, poverty, education reform and protecting young human rights defenders.



### INVESTIGATION

If we believe people who are not respecting your human rights, we can use our legal powers to investigate and demand changes.

- This year we investigated whether councils followed laws when placing children in secure care. Children should only go to secure care – where they aren't allowed to leave – if there is nowhere else they can get help. Locking children up is very serious, and councils must follow the law. Following our investigation, the Scottish Government promised to look at what's happening.
- We also started an investigation into mental health with our Young Advisers. Working as Mental Health Investigators, they are examining mental health support offered in schools.

調查 如果我們認為做決定的人，例如議會，並不尊重你的人權，我們會盡我們的司法力量進行調查並要求他們做出改變。

## INTERNATIONAL WORK 國際工作

This year Commissioner Bruce was Chair of the European Network of Children's Ombudspersons (ENOC) This is a group of other offices who promote and protect children's human rights and we come together to make sure that children's rights are upheld across Europe. Bruce represented ENOC at the United Nations, Council of Europe, and the EU and our Young Advisers worked with other European young people on projects.

We also met colleagues online from outside Europe, from Children's Commissioners' offices such as Australia, New Zealand, and South Africa's Western Cape to share best practice and learning. And we joined other experts on a special World Health Organization group to make sure schools in Europe stayed safe during the pandemic.

## 溝通權利

辦公室的其中一個關鍵角色便是確保兒童、青少年和成人了解他們的權利。我們致力於透過向廣泛的觀眾發聲各種權利議題來影響有專責的變革，並創造讓年輕人可以在媒體上發聲的機會，盡可能在我們的媒體工作中呈現他們的觀點。我們已談論過許多議題，包括：

### COMMUNICATING ABOUT RIGHTS

One of the key roles of the office is to make sure that children, young people, and adults know and understand about children's human rights. We work to influence meaningful change by highlighting a vast range of rights issues to a wide range of audiences, and we've created opportunities for young people's voices to be heard in the media and offered their perspective in as much of our media work as possible.

We have spoken out about so many issues including:

- \*Impact of the pandemic \*vaccinations \*education
- \*exams and assessments \*mental health \*poverty
- \*climate justice \*locking children up
- \*rights of refugees and asylum seekers
- \*putting rights into law\*

We have also contributed to conferences and films to raise awareness of rights, often sharing the platform with our young advisers or giving over the space entirely to them.

"I was really excited to come up with a design for a new Scouts badge, I love drawing and design, so thought it would be fun. My design put the Human Rights logo at the centre of the badge, as it is already a recognised symbol. Like every Scout badge, my design has the Fleur de Lis on it. I also chose to put a map of the world in the background, because children from across the world all have rights. I hope all Cubs and Scouts like my design and are all looking forward to earning the Rights Challenge Badge as much as I am."  
Christopher, 10, Lenzie

## 人權教育

### HUMAN RIGHTS EDUCATION

This year we created a Rights Challenge Badge with Scouts Scotland. Now over 20,000 Cubs and Scouts aged eight to 14 can complete activities and be empowered to know and use their rights. The badge design was chosen from a competition open to all members of Scouts Scotland.





# 兒童權利監測機制 -- Bruce Adamson

烏克蘭戰爭對兒童和年輕人有巨大的影響，包括在蘇格蘭尋求安全的烏克蘭兒童與家庭、住在蘇格蘭的兒童和年輕人，他們可能會因媒體對戰爭的報導而感到擔憂和沮喪。

## WAR IN UKRAINE

The war in Ukraine has a massive impact on children and young people, including Ukrainian children and families seeking safety in Scotland, Ukrainian and Russian children living in Scotland, and children and young people in Scotland, who may be worried and distressed by the coverage of the war in the media.

- We led the European Network of Children's Ombudspersons (ENOC) response to issue statements to European bodies to ensure the protection of children and families seeking safety from the conflict.
- With the other Children's Commissioners in the UK, we sent a joint letter to the Prime Minister about the UK Government response to the war and setting out what measures should happen to protect children immediately.
- We also communicated to children about how and where to get help if they are affected by the war.
- We kept in close touch with the Ukrainian Children's Commissioner to provide support to their work to promote and safeguard children's rights in Ukraine.
- We created a printable poster from a 7 Word Story which was written by a child in Scotland in 2019, which says 'Rights Matter. You Matter. Don't Lose Hope.' It was translated into Ukrainian and Russian in a message of solidarity and hope to children affected by the war: in Ukraine, in Russia and in Scotland.



It's OK to feel sad, upset or scared. But there are things you can do to help you make sense of what's happening in Ukraine.

## 取得建議

### VICE

In 2021/22 people contacted us still worried about the impact of Covid-19 on human rights. We got questions about support for learning and mental health. There's not enough help available, and it can be hard to access mental health services and the pandemic has only made this worse. You can contact us if you need advice about your human rights. Email [inbox@cygps.org.uk](mailto:inbox@cygps.org.uk) or text 0770 233 5720 (texts will be charged at your standard network rate) and we'll get back to you.

## WHAT NEXT 下一步

We'll keep demanding that children's rights are made a part of law as well as standing up against any UK Government proposals to change your existing rights within the Human Rights Act. We'll keep involving you in our work to make sure that your views are heard. The Scottish Parliament will be choosing a new Commissioner in 2023 and after six years Bruce Adamson will say goodbye. But our work on mental health, poverty and climate justice will continue until 2024. You can help us choose our main issues after that.

WE WANT TO THANK ALL THE CHILDREN AND YOUNG PEOPLE WHO'VE HELPED US THIS YEAR. YOU ARE ALL INCREDIBLE HUMAN RIGHTS DEFENDERS. SPECIAL THANKS TO OUR YOUNG ADVISERS. WE COULDN'T HAVE CHAMPIONED CHILDREN'S RIGHTS PROPERLY WITHOUT YOU BY OUR SIDES.

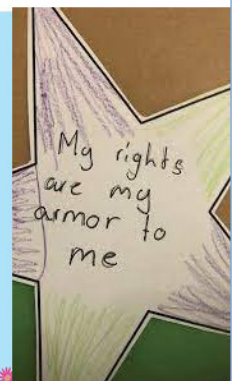
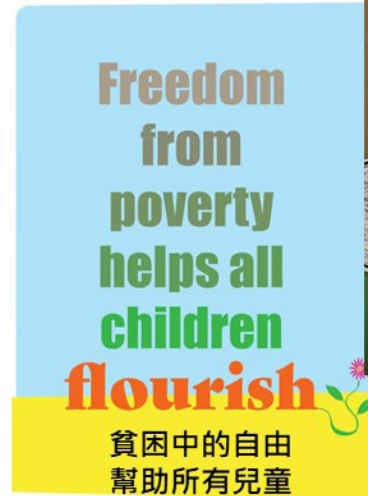
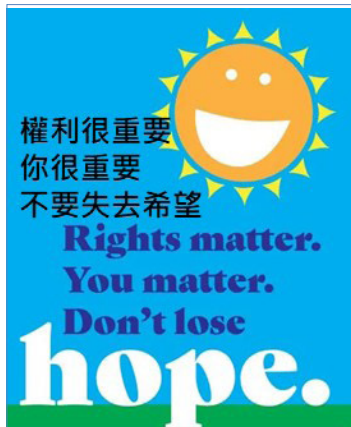


Bridgeside House  
99 McDonald Road  
Edinburgh EH7 4NS  
Tel: 0131 346 5350  
Young Persons' Freephone: 0800 019 1179  
Email: [inbox@cygps.org.uk](mailto:inbox@cygps.org.uk)  
[cygps.org.uk](http://cygps.org.uk)  
[@cygps](https://www.instagram.com/cygps) [@cygps](https://www.facebook.com/cygps) [/cygps](https://www.youtube.com/cygps)

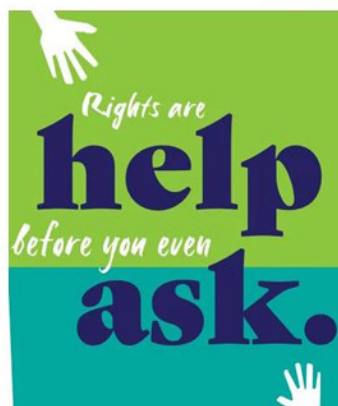
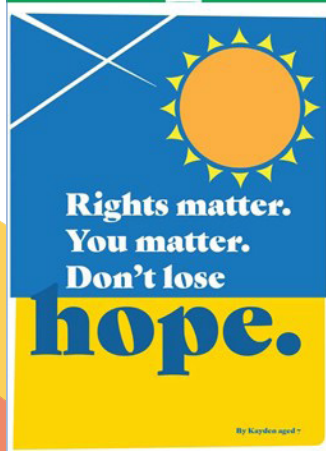
If you would like this document in another format, please let us know.

10

11



我的權利就是我的盔甲



權利是甚至在你開口詢問前就是你享有的幫助

#7WordStory







ombudsman  
do leanaí  
for children

## 放大孩童的聲音

OCO 愛爾蘭與台灣一同慶祝  
《兒童權利公約》35週年

## 愛爾蘭與其兒童人口數

愛爾蘭

歐洲







## 愛爾蘭兒童事務監察使公署

- 2002年兒童監察使法
- 獨立的法定機構
- 總統任命
- 直接向愛爾蘭國會負責



### 1. 陳情處理

免費、獨立且公正

法院的替代選項

### 2. 推廣兒童權利與福祉

推廣兒童權利

諮詢兒童並突顯他們在意的議題

監督並提供立法和公共政策的建議

進行研究或委外進行研究





## 兒童的聲音



《我們的故事》



2022年向聯合國兒童權利委員會提交的兒童報告

<https://www.oco.ie/pieces-of-us/gallery/>



## 2023年聯合國兒童權利公約愛爾蘭報告中的關鍵問題

- 大量的貧困兒童，包括來自弱勢家庭的兒童、單親家庭的兒童、難民兒童以及少數民族兒童
- 貧困且受歧視的兒童，特別是遊居者和羅姆兒童
- 大量的家庭和兒童無家可歸
- 高比例的霸凌現象，必須滿足日益增加的心理健康服務需求
- 需要提供身心障礙兒童支持，包括加強社會融合、早期介入計劃、提升專業人員的能力







**PIECES OF US: WHAT NEXT?** CROKE PARK 21ST JULY 2022  
 《我們的故事》：接下來怎麼做？

A CHILDREN'S REPORT to the UN COMMITTEE on the RIGHTS of the CHILD  
 向聯合國兒童權利委員會提交的的兒童報告

**WELCOME**  
 13 MEMBERS of YAP in GENEVA  
 KAROLINA MEABH  
 5700 CHILDREN gave us their FEEDBACK  
 YOU HAVE the RIGHT to TELL DECISION-MAKERS YOUR OPINIONS.  
 200 YOUNG PEOPLE in focus GROUPS

WE ARE HERE because we want YOU TO TELL the GOVERNMENT what to PRIORITISE!  
 THINK ABOUT THE FUTURE YOU YOUR SISTERS BROTHERS  
 THANK YOU to the WORK of the YAP  
 DR. NIALL MULDOON

WE NAMED the IRISH GOVERNMENT WHAT ARE YOU DOING TO IMPROVE the LIVES of CHILDREN in IRELAND  
 PHILIP JAFFE UN COMMITTEE on the RIGHTS of the CHILD  
 WE GRILLED the MINISTER for 6 hours.  
 UNCRC IRISH GOV'T

EVERY VOICE is the VOICE of 1.5m CHILDREN  
 THIS OPPORTUNITY only comes around EVERY 6 YEARS  
 A PERSON IS A SOLIDARITY PERSON THROUGH BEING

ombudsman do leanai for children  
 Youth Advisory Panel  
 www.drawesome.ie



## 進步的國家指標

- 1 ACTIVE AND HEALTHY
- 2 ACHIEVING IN LEARNING AND DEVELOPMENT
- 3 SAFE AND PROTECTED FROM HARM
- 4 ECONOMIC SECURITY AND OPPORTUNITY
- 5 CONNECTED, RESPECTED AND CONTRIBUTING TO THEIR WORLD



1. 活躍且健康
2. 在學習與發展上取得成就
3. 安全並受到保護
4. 擁有經濟保障與機會
5. 與身旁事物產生連結、受到尊重並對自己的生活有所貢獻



<https://www.gov.ie/en/publication/03f4b-children-and-young-peoples-indicator-set/>







<https://www.youtube.com/watch?v=K55WBimEVBw>



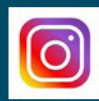
謝謝

免費專線：1800 20 20 40



**ombudsman**  
do leanai  
for children

T: 01 865 6800  
E: oco@oco.ie  
@OCO\_ireland  
[www.oco.ie](http://www.oco.ie)







## 兒少如何進行公共參與

報告者:劉融諭(Liu Rong-Yu)



### 這是我

- 現在19 歲，就讀嘉義大學生化科技學系
- 擔任3年的兒少代表(雖然我有點過熟了)
- 進行教育倡議，和夥伴成立教育協會
- 雖然有點放蕩不羈、但有點容貌焦慮



## 來談談我是如何成為少代的



13年前的我



一個不是那麼理想的教育環境

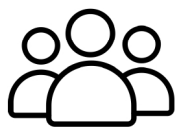


少代(權利捍衛者)

## 兒少代表參與機制



地方政府 (縣市政府)



地方兒權推動小組



中央政府



衛福部傷害防制小組



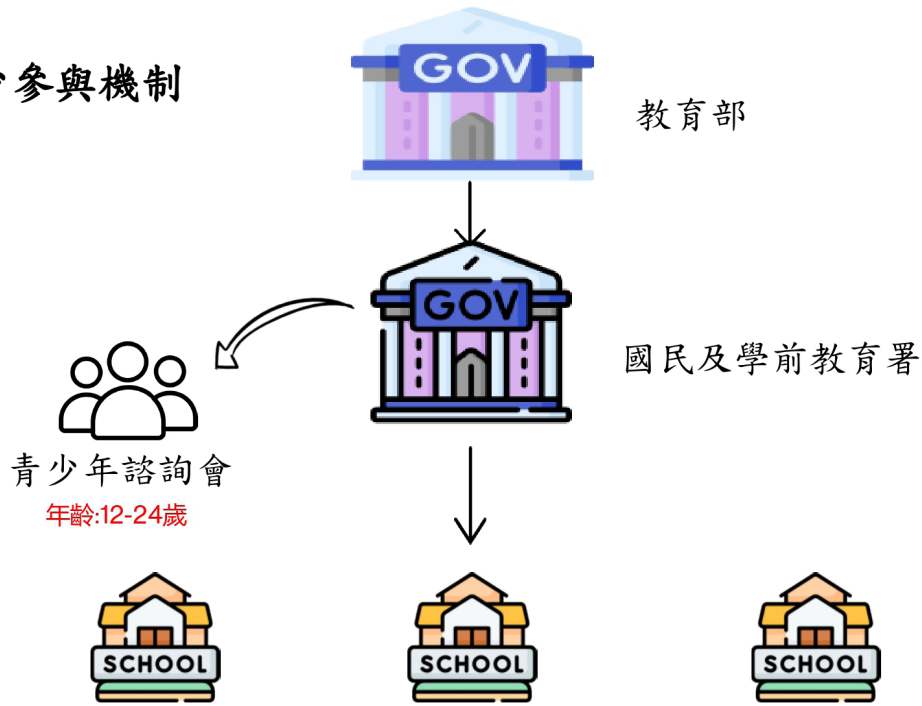
行政院兒權小組



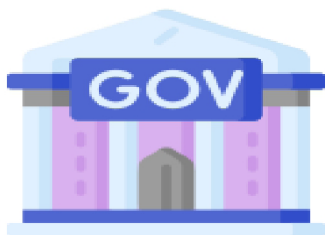
衛福部兒權小組



## 兒少參與機制



## 一開始兒少如何成為兒少代表



地方政府 (縣市政府)

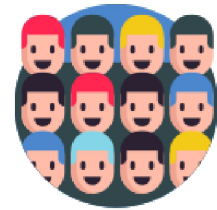
定期遴選兒少代表  
一或兩遴選一次  
(依地方決定)

- 各縣市規定0-20 歲
- 地方遴選時會考慮 :特殊身分、年紀、性別比、是否有關注的議題

遴選推薦

推薦三名進入中央兒少代表團

- 上任時不得滿18 歲
- 任期兩年



中央兒少代表團





## 兒少意見產生與表達的過程



兒少代表團匯集地區意見



諮詢專家意見



遊說成人委員

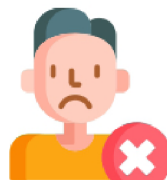
## 台灣政府如何聽取兒少意見

- 在台灣並非每個政府部門都有兒少參與
- 目前有設立兒少專門委員會的部門僅有行政院、衛福部、教育部，還有各地方政府



友善的會議

- 兒少只需提出發現的問題
- 成人委員們會給予意見並交流
- 官員們會盡力協助兒少



不友善的會議

- 官員回復很官腔
- 主管機關只會回應他們曾經政策
- 兒少感覺意見不被重視
- 兒少需要收集資料或是聯署



還記得這個嗎？（我知道我很可愛但請看右邊的圈圈）



13年前的我



一個不是那麼理想的教育環境



少代(權利捍衛者)

## 兒少表意在台灣的現況



正式的會議



官僚體系與官腔



公文用字



現在我們正在面臨  
一場重大的改變



## 中央少代要破滅了



中央政府



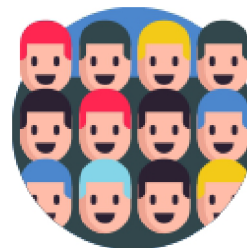
衛福部傷害防制小組



行政院兒權小組



衛福部兒權小組



中央兒少代表團

原本會議中出席的委員是由兒少們互相票選，現在即將成為政府圈選。且各委員會五位兒少委員優先錄取身障、原住民、15歲以下兒少各一名。

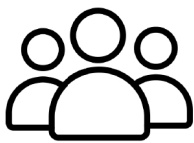
原本各地方推薦三名進入的中央代表團也變成在委員會中擔任兒少委員的兒少能夠參加

年齡限制從上任前未滿18歲，改為任期內都未滿18歲





## 我們在焦慮與害怕什麼？



各委員會五位兒少委員優先錄取身障、原住民、15歲以下兒少各一名。

那其他弱勢族群呢？



原本各地方推薦三名進入的中央代表團也變成在委員會中擔任兒少委員的兒少能夠參加

地方代表性？同伴的支持？



年齡限制從上任前未滿18歲，改為任期內都未滿18歲。任期一次兩年。

誰來代表16-18歲的人



正式的會議



不夠友善的官僚體系



## 我們做了什麼



收集百位兒少代表聯署



遊說立法委員與  
會議中的成人委員



多次的協調會



## 感謝你的聆聽





## 蘇格蘭青年 議會與《聯 合國兒童權 利公約》



## 我們相聚於此的原因

- 關於蘇格蘭青年議會 (SYP)
- 蘇格蘭的兒童權利旅程
- 納入及落實 UNCRC
- SYP 的角色







## 關於 SYP

SYP 是蘇格蘭青年的民主聲音，我們對蘇格蘭的願景是成為主動聆聽並重視提供年輕人有意義的公民參與的國家。



## SYP 的價值



1 民主

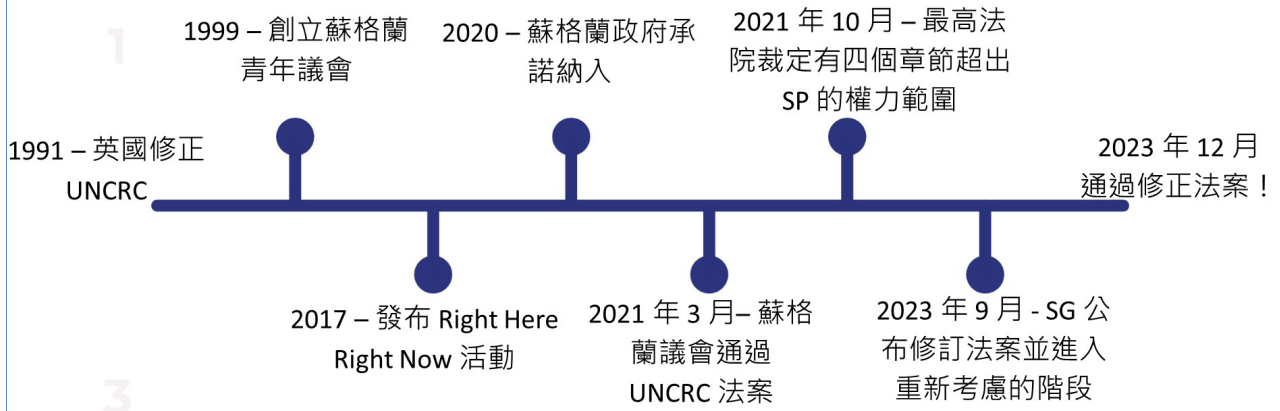
3 共融與多元

2 權利

4 政治公平性



## SYP 和 UNCRC 時程



## UNCRC 法案通過！



- 1 Right Here Right Now 活動
- 2 權利旅程
- 3 但是，這只有在納入能夠帶來改變時才有意義

“ 我等了好久，甚至等到 UNCRC 裡面的保護我都不適用了 ”



## 為什麼要參與？



1

這不是天賦或恩惠，  
而是權利

2

第 12 條是《聯合國兒童權利  
公約》的基礎—需要有意義  
的參與來維護其他權利

3

我們需要更包容、更有效的  
決策和政策

“沒有我們的參與，  
不要替我們做決定”

## 為什麼是現在？



1

納入 UNCRC ( 蘇格蘭 ) 法案

2

兒少告訴我們，過多的參與只  
是種象徵，或根本不存在

3

對兒少權利保護的需求比以  
往任何時候都更大







# 正確之道 ( Right Way ) 計畫

## Right Way 中心



資源

案例研究

常見問題

經驗



## 第 12 條訓練



1

由兒少開發免費的線上訓練，提供給擔負責任的成人所需的關鍵資訊

2

其中包含：

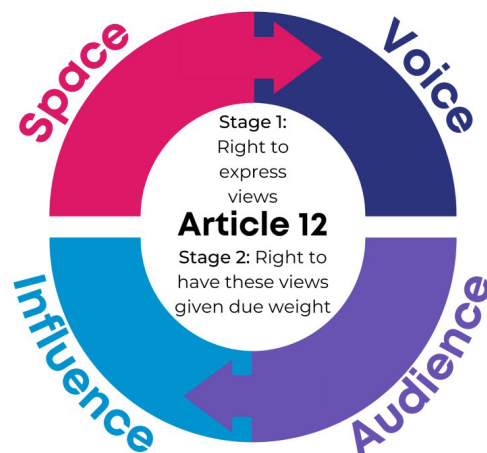
- 什麼是 UNCRC
- 何為有意義的參與及其理論
- 參與中遇到的阻礙
- 回饋及回饋循環

## The Lundy Model of Participation



The Lundy Model of Participation was designed by Professor Laura Lundy. It uses 4 elements to explain Article 12 of the UNCRC in action.

Lundy 「參與模型」參與模型是 Laura Lundy 教授所設計的，使用了 4 個元素來說明 UNCRC 第 12 條的精神。





## 以正確之道 (Right Way) 為目標



1

供決策者在規劃參與時使用的檢查清單。

2

這些清單有助於確保參與具  
可及性、包容性且有意義。



# 下一步？





## 1. 支援

兒少最清楚他們的經歷。

他們會是決定如何設計參與過程的人。



## 2. 挑戰

若我們看見兒少被輕忽了，我們會提出挑戰。

每年我們都會與蘇格蘭政府內閣和行政團隊交流，這是提出挑戰的絕佳時機。





## 3. 完全納入

現在蘇格蘭的 UNCRC 法案遠遠不及我們的訴求。

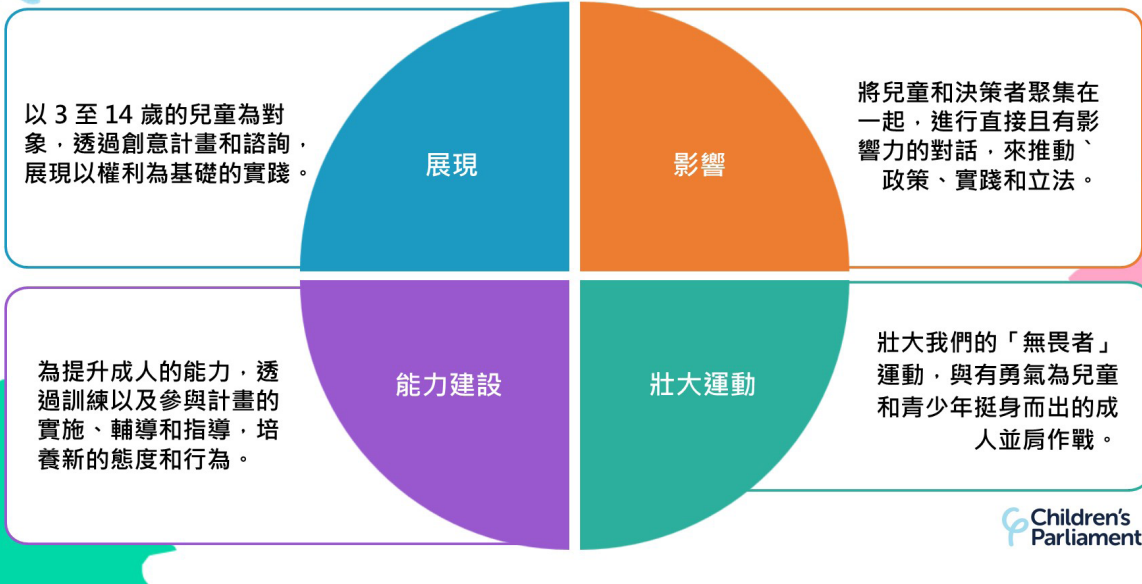
我們會持續長期奮戰，確保兒童與青少年的權利能完全受到法律保護。



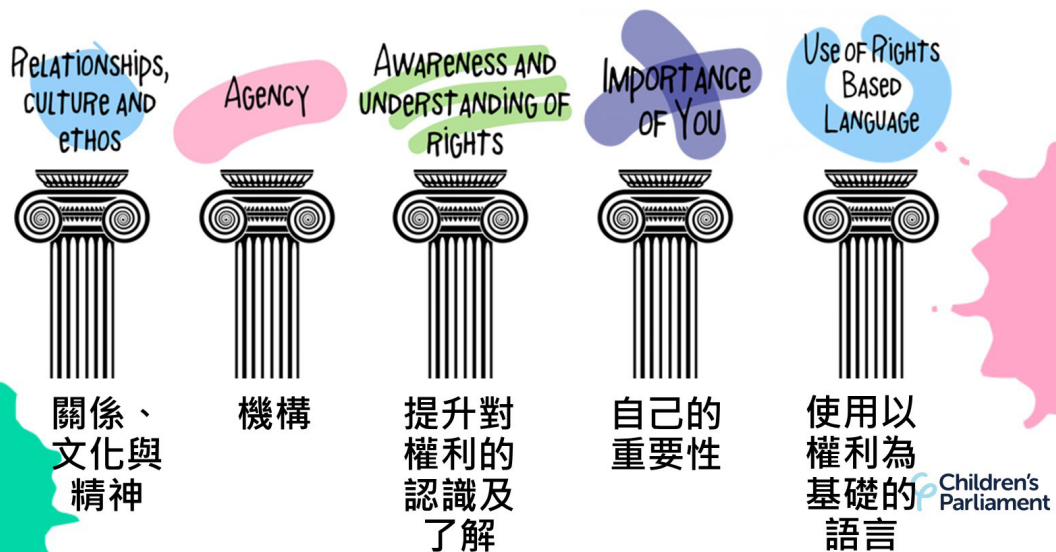
# 來自我們夥伴的 筆記



任務：我們的夢想是讓兒童在充滿愛、快樂和理解的世界上長大



## 以權利為基礎的實踐五大支柱







## Together (蘇格蘭兒童權利聯盟)

約 600 名成員的非政府組織聯盟，致力於提升蘇格蘭對兒童人權的認識、理解和落實。

願景：

讓蘇格蘭成為每個寶寶、兒童、青少年都能在充滿快樂、愛與理解氛圍中成長的地方。

願景：

與我們的會員合作，致力於確保所有在蘇格蘭成長的寶寶、兒童與青少年的人權都受到尊重、保護及落實。

我們採取以下做法：

- 推廣《聯合國兒童權利公約》
- 協助兒童組織，將 UNCRC 與他們的工作整合
- 監控及報告在蘇格蘭和英國層級上的進展，包括透過 [#RightsonTrack campaign](#) 活動所進行的工作



Scan here to read more on our website:



Website: [www.togetherscotland.org.uk](http://www.togetherscotland.org.uk)

Follow us on Twitter! @together\_sacr



## UNICEF 英國計畫

- 尊重權利學校獎：目前蘇格蘭有 79% 所學校參加此計畫
  - 寶寶友善倡議：蘇格蘭帶領全國推出此計畫，給予產婦、新生兒、健康訪問和兒童中心服務相關協助，確保新生兒和其家庭都能得到最妥善的照顧。所有蘇格蘭的寶寶友善產婦單位都經過認證。
- 政策與倡議

## 蘇格蘭的聯合國兒童基金會 (UNICEF)

### UNICEF in Scotland

我們的兒童權利旅程

#### Our child rights journey

UNCRC 法案 (2024) 蘇格蘭

- UNCRC Act (2024) Scotland
- UNICEF UK Programmes
  - Rights Respecting School Awards: Currently 79% of schools in Scotland are engaged in the programme
  - Baby Friendly Initiative: Scotland leads the way, the programme supports maternity, neonatal, health visiting and children's centre services, ensuring they are giving new-borns and their families the best possible care. All maternity units across Scotland Baby Friendly are accredited.
- Policy and Advocacy

unicef   
for every child



謝謝！

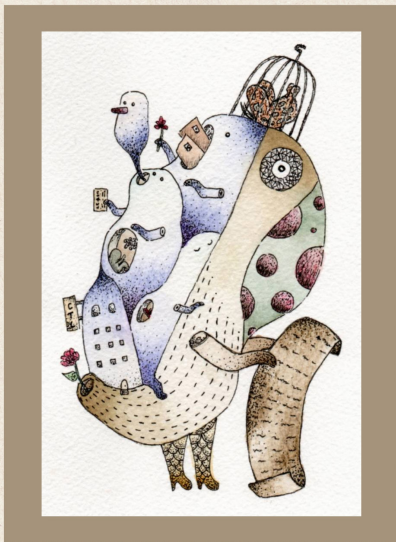






# 兒少 培力機制

鄭天立  
2024.08.21



<拾夢獸> 2023

## 鄭天立

#自學生 #動植物 #創作

- \* 曾任臺南市第5屆、第6屆兒童及少年代表/委員
- \* 曾任及現任中央第一屆、第二屆兒童及少年代表/委員  
(衛生福利部兒權小組、行政院兒權小組)





## 公眾參與的 啟蒙

2018

## 台灣 兒少代表機制



地方(縣市)



中央





## 孕育·臺南市兒少代表



## 磨練·中央兒少代表







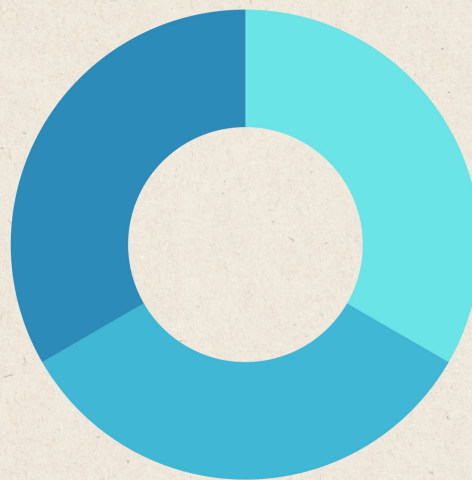
?

## 為什麼「培力」 對於兒少來說非常重要？

培  
力  
單  
位

行政事務

支持與陪伴



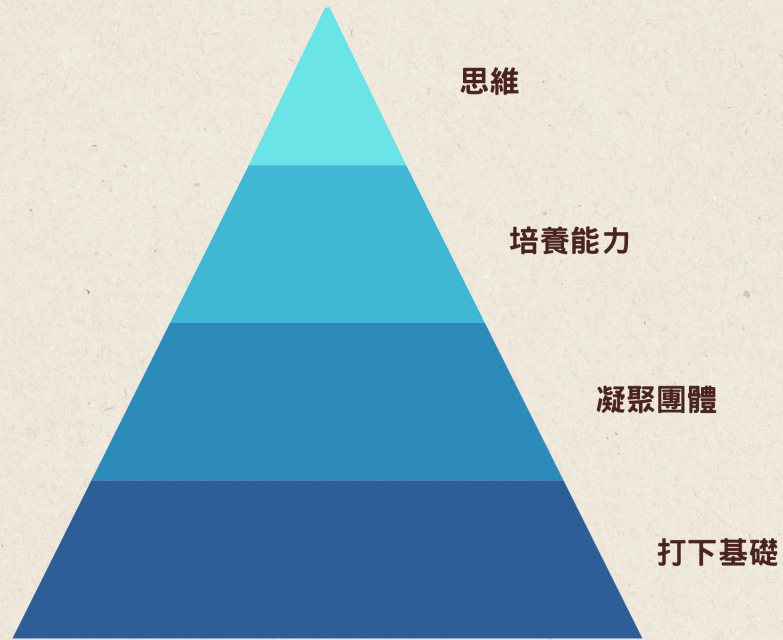
專家資訊 X 媒合資源







# 培力 包含

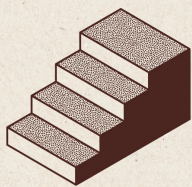


# 培力的 力量





# 「培力」不只是培力



累積



實踐

學  
中  
做  
做  
中  
修



「了解」才能夠「理解」



鼓勵多元的表意和參與方式



透過模擬熟悉真實會議狀況

怎麼做  
可以更好





公眾參與沒有設限，  
我們都可以有「自己的」參與方式。

鄭天立  
謝謝大家~



# Contents

<b>Agenda</b>	<b>92</b>
<b>Moderators and Speakers</b>	<b>95</b>
<b>Presentation Materials</b>	<b>106</b>
•Child' s Rights Monitoring Mechanism	106
•Mechanism for Young People to Participate in Public Issues	146
•Training Courses for Child and Youth Delegate	154



National Human Rights  
Commission, Taiwan  
Official Website



國家人權委員會  
NATIONAL HUMAN RIGHTS  
COMMISSION, TAIWAN





**Time** 2024/8/20 (Tue.)9:30-16:30

**Location** B1, Chang Yung-Fa Foundation International Convention Center

Time	Item
<b>Child' s Rights Monitoring Mechanism</b>	

**09:30-09:35** Opening and Introduction of Distinguished Guests

**09:35-09:42** Opening Remark:  
NHRC Chairperson Chu Chen

**09:42-09:50** Group Photo

**09:50-11:30** Introduction to Children's Rights Monitoring Mechanisms  
Presenters: Representatives of National Agency from Various Countries

**11:30-11:50** Panel Discussion  
Host: Vice Chairperson Yu-Ling Wang

**11:50-13:30** Lunch

**Mechanism for Young People to Participate in Public Issues**

**13:30-15:00** Experience Sharing  
Presenters: Youth Representatives from Various Countries

**15:00-15:30** Tea Break

**15:30-16:30** Panel Discussion  
Host: Commissioner Wen-Cheng Lin



**Time** 2024/8/21 (Wed.)9:30-17:00

**Location** B1, Chang Yung-Fa Foundation International Convention Center

Time	Item
<b>Training Courses for Child and Youth Delegate</b>	
09:30-10:50	Experience Sharing Presenters: Youth Representatives from Various Countries
10:50-11:10	Tea Break
11:10-12:00	Panel Discussion Host: Commissioner Chiu-Chin Tien
12:00-13:30	Lunch
<b>World Café</b>	
13:30-13:40	Introduction to The Activity Process
13:40-16:00	Group Discussions
16:00-17:00	Group Presentations (Each Group Presents for 6 Minutes)
17:00	Departure







## Chu Chen

### Chairperson of the National Human Rights Commission

Chen Chu is one of the key figures in Taiwan's democratic movement. She was charged with sedition and tried in a military court during the 1979 Kaohsiung Incident, enduring six and a half years in political prison. Believing that democracy and human rights are eternal pursuits, she has served as a director of the East Asia Human Rights Association and as the director and secretary-general of the Taiwan Association for Human Rights. Chu Chen has held various significant roles including the head of the social affairs departments in both of Taiwan's major metropolitan cities, the first chairperson of the Council of Labor Affairs (now the Ministry of Labor) in the new government after Taiwan's first political power transition, and the mayor of Kaohsiung, Taiwan's largest port city, for 12 years. She has also served as the Secretary-General of the Presidential Office. Over her 30-year public service career, she has focused on social welfare and labor rights. During her tenure as mayor, she pioneered the registration system for same-sex couples, laying the groundwork for the eventual legalization of same-sex marriage. Appointed by the President, Chu Chen is the first chairperson of the National Human Rights Commission, committed to establishing various systems for the commission, strengthening the supervision of administrative departments, and fostering partnerships with global human rights organizations.



# Child' s Rights Monitoring Mechanism

**Host : Yu-ling Wang Vice Chairperson**

**Presenter :**

- Taiwan Ta-hua Yeh Commissioner**
- Australia Anne Hollonds Commissioner**
- Scotland Bruce Adamson Vice Chair**
- Ireland Nuala Ward Director**



## Moderators and Speakers



### Yu-ling Wang

Deputy Chairperson

Yu-ling Wang started her career as a newspaper reporter focusing on social movements, caring for disadvantaged groups, and organizing labor unions. She participated in labor movements and later worked in central and local labor and social administration authorities, gaining familiarity with labor rights and social welfare. She then transitioned to civil society, serving as the secretary-general of the "League for Persons with Disabilities," advocating for the rights of disabled individuals. Before the establishment of the National Human Rights Commission, she was appointed as a member of the Presidential Office Human Rights Consultative Committee, where she frequently addressed issues including the rights of disabled individuals, the treatment of mentally ill law offenders, and the human rights of prison inmates. As a human rights commissioner, she has focused on the rights of migrant workers, conducting investigations on the labor rights of distant water fishery workers and the challenges faced by migrant workers raising children in foreign lands, and has published special reports on these issues.



### Ta-hua Yeh

Human rights commissioner

Ta-hua Yeh is a senior advocate for youth rights in Taiwan, having promoted youth policy and human rights for 25 years. As the secretary-general of the "Taiwan Alliance for the Advancement of Youth Rights and Welfare," she led the campaign for implementing the 18-year-old civic rights movement and has long focused on issues such as youth poverty, media self-regulation, vocational students' rights, and juvenile labor rights, advocating for generational justice. She has served as a member of the Presidential Office Human Rights Consultative Committee and the Executive Yuan's Task Force on Child and Youth Welfare and Rights. Currently, at the National Human Rights Commission, she is involved in drafting the independent evaluation opinion for Taiwan's second CRC national report, monitoring mechanisms for child and youth human rights, handling mechanisms for campus teacher-student violence, and investigating the educational rights of overseas students studying in Taiwan.



## Moderators and Speakers



### **Anne Hollonds**

**Australia's National Children's Commissioner**

**Anne Hollonds is Australia's National Children's Commissioner. In this role Anne monitors policy and legislation to ensure that the human rights of children are protected and promoted.**

**Formerly Director of the Australian Institute of Family Studies, for 23 years Anne was Chief Executive of government and non-government organisations focused on research, policy and practice in child and family wellbeing.**

**As a psychologist Anne has worked extensively in frontline practice, including child protection, domestic, family and sexual violence, mental health, child and family counselling, parenting education, family law counselling, and community development.**

**Anne currently contributes to several expert advisory groups, including the Family Law Council, Australian Child Maltreatment Study, NSW Domestic and Family Violence and Sexual Assault Council, National Plan Advisory Group (NPAG), and the Australian Centre for Child Protection Advisory Board.**



### **Bruce Adamson**

**Vice Chair of the Child Friendly Governance Project**

**Professor Bruce Adamson is the Vice Chair of the Child Friendly Governance Project, a global NGO which is putting children at the heart of decision making. From 2017-2023 Bruce was Children and Young People's Commissioner Scotland. Working directly with children his office helped secure legislative change in relation to the age of criminal responsibility, the physical punishment of children, and the incorporation of the UNCRC into Scots law. Bruce is a lawyer qualified in three jurisdictions and was a member of Scotland's Children's Panel for 13 years. He has worked as a human rights expert in over 20 countries for the UN, Council of Europe, EU, OSCE, UNDP and WHO. He is a former Chair of the European Network of Ombuds for Children, and the Scottish Child Law Centre. Bruce is just finishing a term as Professor in Practice at the University of Glasgow School of Law.**





## Moderators and Speakers



### **Nuala Ward**

**Director of Investigations in the Ombudsman for Children's Office in Ireland**

**Nuala Ward is the Director of Investigations in the Ombudsman for Children's Office in Ireland.**



### **Ma. Victoria "Bing" S. Diaz**

**The Chief of the Child Rights Center of the CHRP.**



# Mechanism for Young People to participate in public issues

**Host : Wen-cheng Lin Commissioner**

**Speaker :**

•Scotland    **Finlay Anderson**

•Ireland    **Aisling 、 Alfie**

•Taiwan    **Rong-Yu Liu**

•Australia    **Bella 、 Sebastian 、 Ruben**





## Moderators and Speakers



### Wen-cheng Lin

Human rights commissioner

Dr. Lin Wen-cheng is currently a member (ombudsman) of the Control Yuan. Before he was nominated by President Tsai Ingwen and approved by the Legislative Yuan to serve as a Control Yuan member since August 1, 2000, Dr. Lin was Distinguished Professor in the Institute of China and Asia-Pacific Studies and Director of the Center for National Policy Studies, National Sun Yat-sen University (NSYSU), as well as Chairman of the Taiwan Society of Japan Studies. Dr. Lin was Senior Adviser (a government ministerial-level position) to President Chen Shui-bian in the National Security Council in 2003-2004, President of the Taiwan Foundation for Democracy (TFD) in 2006-2010, and President of the Foundation on Asia-Pacific Peace Studies in 2016-2020. He served as Dean of NSYSU' s College of Social Sciences in 2006-2007 & 2009-2015. Before joining the National Security Council in 2003, Dr. Lin was Director for both the Institute of Mainland China Studies and Sun Yat-sen America Center, National Sun Yat-sen University. Dr. Lin earned his MALD and Ph.D. from the Fletcher School of Law and Diplomacy, Tufts University in the United States.



### Finlay Anderson

Former Young Advisor for the Children and Young People's Commissioner for Scotland

Finlay Anderson, Former Young Advisor for the Children and Young People's Commissioner for Scotland.

## Moderators and Speakers



### Rong-Yu Liu

- **The Second Central Child and Youth Delegation**
- **6th Term Youth Advisory Representative of the Ministry of Education's National Education Administration**
- **Executive Supervisor of the Taiwan YDY Education Association**

**Former Member of the 5th Executive Yuan's Child Rights Promotion Group.**



### Bella

**Bella is from Kaurna Country (Adelaide) and recently completed her Bachelor of Environmental Policy and Management at the University of Adelaide. She has a keen interest in environmentalism. She is also passionate about addressing action on climate change and discrimination volleyball, playing, and coaching at a national level, which has taught her a lot about connection and community.**

**She hopes the committee continues to engage a diverse range of young people, and that the government values their lived experiences and perspectives in policy decisions.**





## Moderators and Speakers



### Sebastian

Sebastian is a young Queenslander based in Brisbane. He migrated to Australia from Europe aged ten. Sebastian is a science student at UQ and is passionate about including Autistic and young people in government decision making. He believes that when government and young people work together real progress can be made.

Sebastian participated in the development of Engage! as an inaugural member of the Youth Steering Committee, he is delighted to participate in the implementation of Engage!. He also sits on the Oversight Council of the National Autism Strategy, where he has participated in the development of this strategy and advocated for the inclusion of young voices and their lived experiences.



### Ruben

Ruben is the youngest member of the Youth Steering Committee. He was born in Melbourne but has lived in Perth, WA for the past 5 years. Ruben shines as a middle school leader, speaking confidently in front of his peers with his open and honest communication style. He shows his true self while engaging in his community, encouraging others to have the confidence to share their own stories and have their voices heard. His lived experience with a severe tic disorder has given him resilience, compassion, and empathy.

Ruben's key goal is to be able to connect with like-minded people and demonstrate leadership through various opportunities as part of the Youth Steering Committee. He is looking forward to connecting with people from different backgrounds and having a fun time making a difference to the youth of Australia





# Training Courses for Child and Youth Delegate

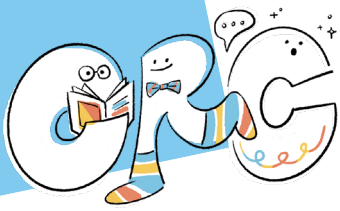
**Host : Chiu-chin Tien Commissioner**

**Speaker :**

•Scotland **Ellie Craig**

•Ireland **Caoimhe Acres**

•Taiwan **Emily Cheng**



## Moderators and Speakers



### **Chiu-chin Tien**

**Human rights commissioner**

**Chiu-chin Tien initially engaged in the democratic movement and later became deeply concerned about environmental and ecological issues, dedicating herself to environmental protection. During her tenure as a legislator, she successfully promoted the enactment of the Renewable Energy Development Act, the Greenhouse Gas Reduction and Management Act, the Organic Act of the Ocean Affairs Council Ocean Conservation Administration, and the Organization Act of the National Academy of Marine Research. She also pushed for multiple amendments to the Food Safety and Sanitation Management Act. As a member of the Control Yuan, she has conducted investigations and reports on food safety, environmental issues, energy transition, child welfare, and education rights. She has also overseen systematic inspections and studies on sexual assault in child placement institutions and schools for the National Human Rights Commission.**



### **Ellie Craig**

**Chair of the Scottish Youth Parliament**

**Ellie Craig MSYP is the Chair of the Scottish Youth Parliament and the MSYP for Glasgow Cathcart. As chair, Ellie leads the organisation and the board of trustees and ensures SYPs youth led mandate is at the forefront of everything SYP does. As well as Ellie's role as Chair, she is a trustee of Young Scot, Scotland's National Youth Information and Citizenship Charity.**

## Moderators and Speakers



### **Emily Cheng**

- **The Second Central Child and Youth Delegation**
- **Executive Yuan Child and Youth Welfare and Rights Promotion Group / Child and Youth Committee Member**

**The Second Central Child and Youth Delegation  
Executive Yuan Child and Youth Welfare and Rights Promotion  
Group / Child and Youth Committee Member**



### **Jamie Dunlop**

**SYPs Chief Executive**

**Jamie is SYPs Chief Executive. He's responsible for the day to day running of the organisation, being the link between the SYP board and the staff team, charity governance and delivering on our strategic plan supporting young people to realise their rights and have their voices heard by decision makers.**

**Jamie graduated from the University of Dundee with a BA (Hons) in Community Education and has been a youth worker for 18 years. He has worked for SYP for 11 years and was previously Deputy Chief Executive being promoted to Chief Executive in 2023.**

**Jamie is also a member of the CLD Standards Council Executive Committee and a trustee of the Dynamic Earth Educational Trust. He is a keen reader and wild swimmer.**







**International Conference on Monitoring  
Children's Rights**

**Taipei  
August 2024**

**Professor Bruce Adamson  
School of Law, University of Glasgow**

**Vice-Chair of the Child Friendly Governance Project**

**Fellow at the Cattanach Trust**

**Former Children and Young People's Commissioner  
Scotland and Chair of the European Network of  
Ombudspersons for Children**

Email: [bruce.adamson@gmail.com](mailto:bruce.adamson@gmail.com)  
Phone: +44 7 591 200 398  
Twitter: [bruce\\_adamson](https://twitter.com/bruce_adamson)  
LinkedIn: [linkedin.com/in/bruce-adamson-69543b45](https://www.linkedin.com/in/bruce-adamson-69543b45)



Finlay Anderson  
(He/Him)

Former Young Advisor Children and Young People's  
Commissioner Scotland and Chairperson of Dumfries &  
Galloway Youth Council

#IWill Scotland Ambassador

Partners in Advocacy Board Trustee

Email: finanderson1210@gmail.com

Twitter: Finlay\_And1210





**GENERAL COMMENT NO. 2 (2002)**

**THE ROLE OF INDEPENDENT NATIONAL HUMAN RIGHTS INSTITUTIONS IN THE PROMOTION AND PROTECTION OF THE RIGHTS OF THE CHILD**

General Comment 2 explains how people like Children and Young People's Commissioners can best protect children's human rights.

- Help children, young people and adults understand children's human rights.
- Make sure children and young people know how to contact them.
- Listen to all children and young people's views and make sure others do too.
- Involve children and young people in their day to day work.
- Work closely with children's and young people's organisations.
- Be able to investigate where children's human rights are not being respected.
- Report back to the United Nations Committee on the Rights of the Child on how their country's government is respecting children's human rights.

The Committee also says that like other national human rights institutions, Commissioners should be independent of government.

**GENERAL COMMENT NO. 5**

**(2003) GENERAL MEASURES OF IMPLEMENTATION OF THE CONVENTION ON THE RIGHTS OF THE CHILD**

The 'General Measures of Implementation' are the parts of the UN Convention on the Rights of the Child which set out what governments should do to respect children's human rights.

- Governments need to do everything in their power to respect children's human rights. They should make sure that they provide the most money they can to make that happen.
- Governments should make sure that children and young people know what their rights are.
- Governments should help adults understand how to respect those rights.
- When governments are reporting back to the United Nations about what they have done to respect children's human rights, they should make sure that those reports are available to everyone, including children and young people.

## Role of the Commissioner:



In 2003 the Scottish Parliament wanted to 'make a real difference by creating an independent, high-profile and influential post' of the Children and Young People' s Commissioner with a responsibility to promote and safeguard the rights of everyone under 18 in Scotland or up to 21 if the young person is in care or has care experience.





“

This gives us the chance to make a real difference by creating an independent, high-profile and influential post. ... the most significant legacy that we, as members of parliament, can leave our children and our children's children.





## Scotland



Scotland – Population 5.5 million (1 million children)  
Council of Europe – Population 820 million  
(150 million children)



HOGWARTS SCHOOL  
OF WITCHCRAFT AND WIZARDRY





## Two Parliaments

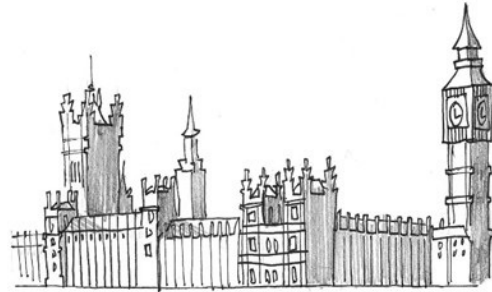


illustration @ dlex leonard







## Commissioner for Children and Young People (Scotland) Act 2003 2003 asp 17

The Bill for this Act of the Scottish Parliament was passed by the Parliament on 26th March 2003 and received Royal Assent on 1st May 2003

An Act of the Scottish Parliament to provide for the establishment and functions of a Commissioner for Children and Young People in Scotland; and for connected purposes.

### The Commissioner

#### 1 Establishment

- (1) There is to be a Commissioner for Children and Young People in Scotland.
- (2) Schedule 1 makes further provision about the Commissioner.

#### 2 Appointment

- (1) The Commissioner is to be an individual appointed by Her Majesty on the nomination of the Parliament.
- (2) A person is disqualified from appointment as the Commissioner if that person is, at the date when the appointment is to take effect, or in the year prior to that date has been— (a) a member of the Parliament; (b) a member of the House of Commons; or (c) a member of the European Parliament.
- (3) The Commissioner is to be appointed for such period, not exceeding five years, as the Parliamentary corporation may determine.
- (4) A person who has been appointed for one period as the Commissioner may be appointed for a second period (whether or not consecutive) but not for any additional period.

#### 3 Removal

- (1) The Commissioner may be removed from office by Her Majesty if—

- (a) the Commissioner so requests; or
  - (b) the Parliament has passed a resolution for removal on the ground— (i) that the Commissioner has breached the terms of appointment; or (ii) that the Parliament has lost confidence in the Commissioner's willingness, ability or suitability to carry out the functions of the office.
- (2) A resolution for removal of the Commissioner, if passed on a division, must be voted for by not less than two thirds of those voting.

### Functions

#### 4 Promoting and safeguarding rights

- (1) The general function of the Commissioner is to promote and safeguard the rights of children and young people.
- (2) In exercising that general function the Commissioner is, in particular, to—
  - (a) promote awareness and understanding of the rights of children and young people;
  - (b) keep under review the law, policy and practice relating to the rights of children and young people with a view to assessing the adequacy and effectiveness of such law, policy and practice;
  - (c) promote best practice by service providers; and
  - (d) promote, commission, undertake and publish research on matters relating to the rights of children and young people.

#### 5 United Nations Convention and equal opportunities

- (1) In exercising functions under this Act, the Commissioner must comply with subsections (2) to (4).
- (2) The Commissioner must have regard to any relevant provisions of the United Nations Convention on the Rights of the Child.
- (3) The Commissioner must, in particular—
  - (a) regard, and encourage others to regard, the best interests of children and young people as a primary consideration; and
  - (b) have regard to, and encourage others to have regard to, the views of children and young people on all matters affecting them, due allowance being made for age and maturity.
- (4) The Commissioner must act in a manner which encourages equal opportunities and, in particular, the observance of the equal opportunity requirements.

#### 6 Involving children and young people

- (1) The Commissioner must encourage the involvement of children and young people in the work of the Commissioner.
- (2) The Commissioner must, in particular, take reasonable steps to— (a) ensure that children and young people are made aware of—

Document Generated: 2017-04-18

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Commissioner for Children and Young People (Scotland) Act 2003. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

## Our Act (2003)

We PROMOTE and SAFEGUARD children and young people's rights by:

- Raising awareness of rights
- Involving children and young people in our work
- Considering law, policy and practice relating to children's rights
- Communicating best practice about rights

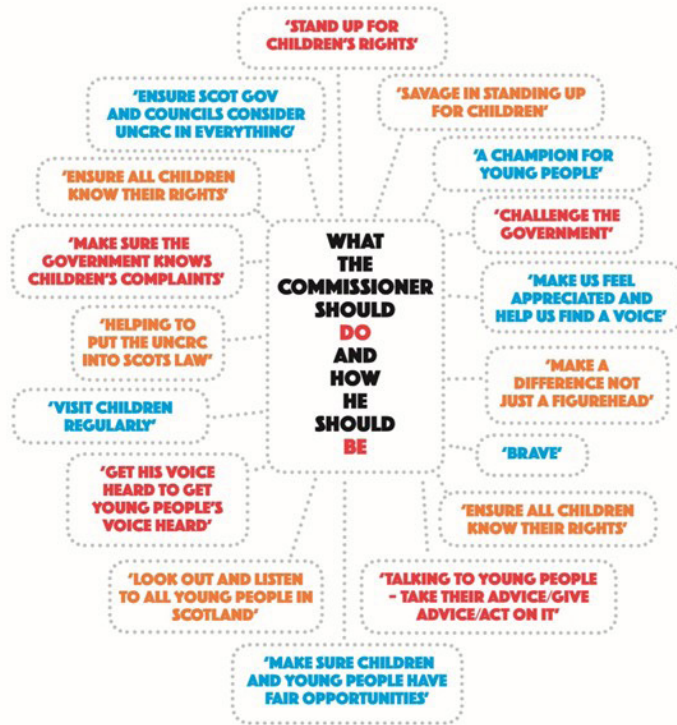








WHAT CHILDREN AND YOUNG PEOPLE TOLD US



CHILDREN AND YOUNG PEOPLE TOLD US THAT THEY WANTED THEIR COMMISSIONER TO HAVE 'BIG EARS FOR LISTENING', 'HAVE A GOOD HEART' AND BE

- 'GENEROUS'
- 'STUBBORN'
- 'LOUD'
- 'ENTHUSIASTIC'
- 'KIND'
- 'CLEVER'
- 'CONFIDENT'
- AND
- 'TO CARE'

## Fierce Defender of Children's Rights







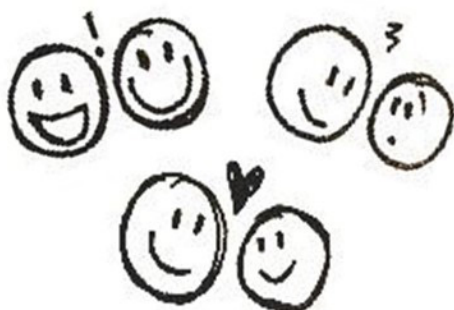
## Our Values



## Our Mission

Our mission is to..

- Be fierce champions of children and young people' s human rights
- Make sure that laws that are fair





## Our Mission

Our mission is to..

- Demand change where children and young people' s rights are not being respected
- Support human rights defenders
- Make sure adults learn about children and young people' s human rights.
- Put children and young people at the heart of all our work.



## Our Office



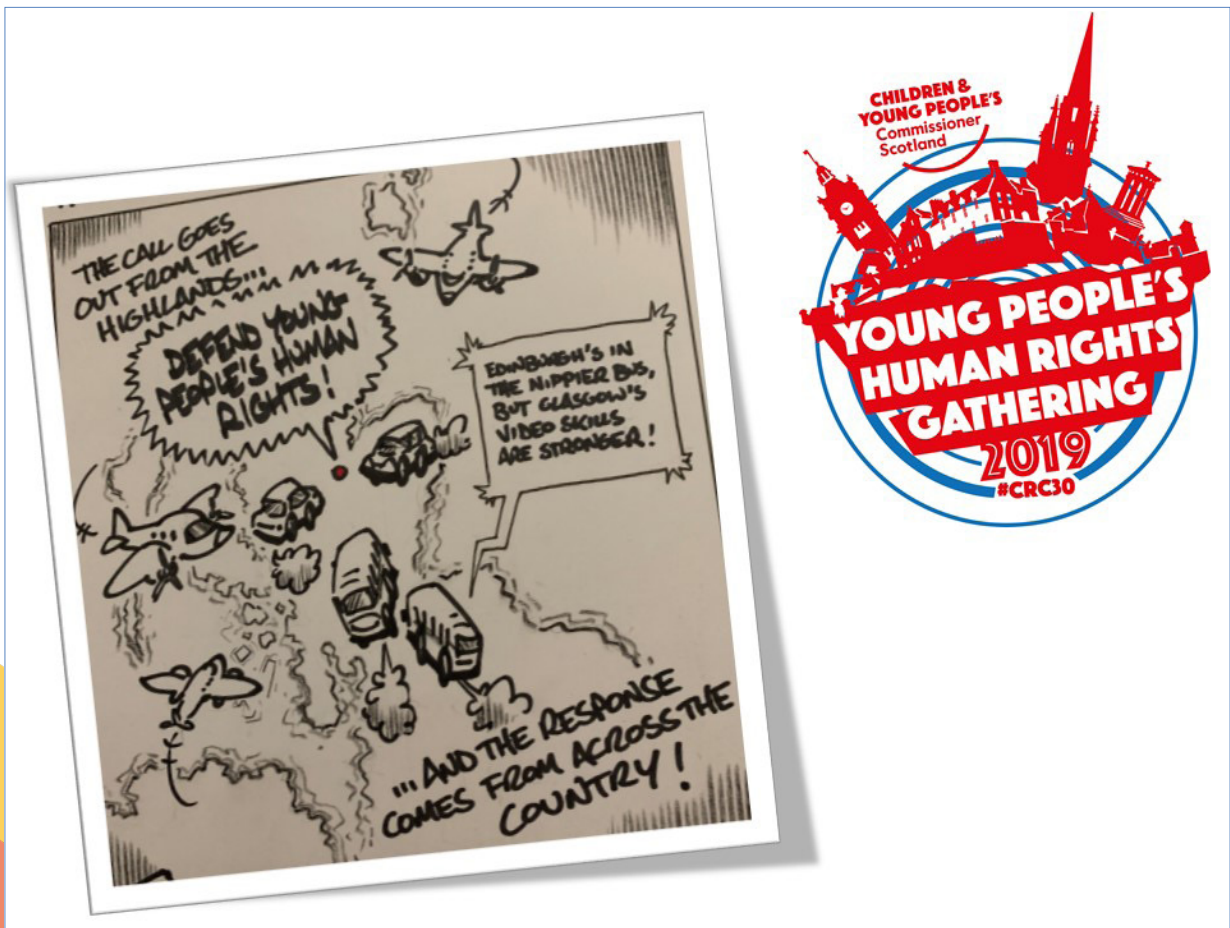






# Young Advisors

<https://vimeo.com/810263102>





## Investigation

### No Safe Place:

Restraint and Seclusion in Scotland's Schools



Our first investigation:

**Restraint** means – holding a child or young person to stop them from moving

**Seclusion** means – shutting a child alone in a room or another place and not allowing them to leave.

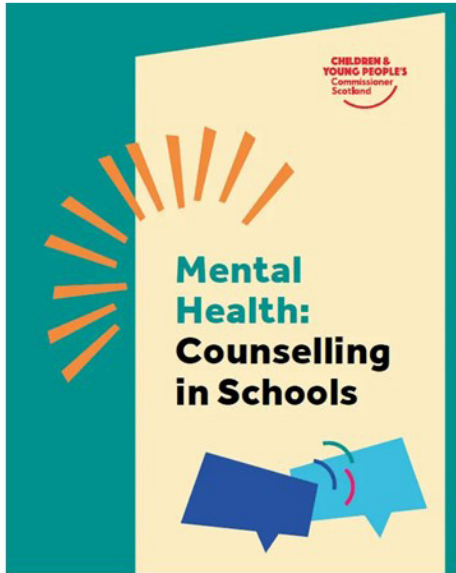
- We found that there was serious inconsistency in the governance and monitoring of restraint and seclusion in Scotland
- 22 recommendations to the Scottish Government and local authorities.
- We are now working to make sure they are implemented.





---

## Investigation



Our latest investigation:

### Entirely run by Young Advisers

- All children should have a right of access to counselling at school
- Local authorities should ensure that counselling is available outside school hours, during school holidays and outside school premises, on request
- Scottish Government should expand school counselling provision to all primary and special schools in Scotland
- All local authorities should have clear waiting times for children who want to access services, and information should be child-friendly

---

## Child Justice



---

**"The UN committee commends states that set minimum ages of 15 or 16 and encourages states to set the minimum age to **at least 14.**"**

**Ann Skelton**  
UN Committee on the Rights of the Child

---

**#12IsntLeading**





## Equal Protection

On 3 October 2019 [the Children \(Equal Protection\) \(Scotland\) Act](#) was passed by the Scottish Parliament, meaning children in Scotland now have the same protections against assault as adults.

Equal Protection is something our office has been calling for since 2004

Assaulting a child for the purposes of punishment should always be against the law, and our previous law was untenable in international human rights law terms.



### The Observer Opinions

## Care Experience



The Review of the Care System in Scotland will report in January with a number of key human rights themes:

- Incorporation of the UNCRC
- Human right education for children and young people
- Support for the workforce to take a rights based approach
- Advocacy and legal advice
- Rights based inspection and regulation



# Food Insecurity

*'The most unfair thing is the government knows families are going through hard times, but they decide not to do anything about it.'* - 12-year-old John Adebola-Samuel, Dumfries



# Additional Support Needs



*I am strong  
AND  
sometimes  
I need your  
HELP*

- Shopping List - We need:
- more accessible transport buses, trains, taxis and travel training
- to be warm enough.
- to have somewhere to work.
- to have accessible information.
- better public understanding about being disabled.
- to have necessary hygiene and care equipment - especially a good washing machine
- to have the need for love, and our pets.
- to have enough money
- to feel safe.






# Strategic Litigation



Since 2017, we have become involved in a number of cases involving the rights of children and young people.

- No Recourse to Public Funds
- Deprivation of liberty
- Restraint and Seclusion
- Toolkit




## UNDER 18?

### YOUR HUMAN RIGHTS AT PROTESTS

#### WHAT YOU NEED TO KNOW

**All children under the age of 18 who choose to protest (in person or online) have human rights that must be respected, protected, and fulfilled.**

**Adults must think about what's best for you and consider your views when making decisions that affect your life.**



**You have the right to find out and share information**

Information about climate movements, policies, and climate change should be widely available for you to access. You also have the right to know what's happening before and during a protest, including if you are held by police during a protest. You should be told what's happening and have the right to ask questions.

You can also share information about climate movements, policies, climate change, and protests, so long as it does not harm or offend other people.

**You have the right to be kept safe from harm or violence**

You have the right to be protected when protesting. This includes from anybody who may act violently at a protest, and from all online abuse. The authorities should take steps to stop any violence. They should not stop you from protesting, unless you are in danger.

**You have the right to privacy**


This is especially important for protests that take place online. For example, you shouldn't have anyone listening in to your personal conversations or reading your messages. In Scotland, the law has some exceptions to this when you, or someone else, is in danger.

**You have the right to learn about your human rights and the environment**

You have the right to learn about what your human rights are, when you can defend them, and about the environment, including climate change. This includes knowing when and how to protest.

**What happens if you're detained or arrested by police**

Arresting you should always be the last possible option. But it might happen, and you have rights if it does.







# COVID

ON 8TH APRIL 2020, THE UN COMMITTEE ON THE RIGHTS OF THE CHILD WARNED OF:

THE "GRAVE PHYSICAL, EMOTIONAL AND PSYCHOLOGICAL EFFECTS OF THE COVID-19 PANDEMIC ON CHILDREN".

WE DID A PROJECT SHOWING THAT THE PANDEMIC HAD AFFECTED EVERY PART OF CHILDREN'S LIVES. THE DECISIONS MADE IN THE EARLY STAGES OF THE PANDEMIC, LIKE THE LOCKDOWN, DID NEED TO HAPPEN TO PROTECT PEOPLE.

THE COMMITTEE CALLED ON STATES TO FOCUS ON 11 KEY AREAS. WE USED THESE AS THE BASIS FOR OUR WORK DURING THE PANDEMIC.

BUT THERE WERE CONSEQUENCES FOR CHILDREN.

# Moving work online

DIRECTLY OR NOT.

I REGULARLY MEET WITH THE YOUNG ADVISERS ONLINE TO DISCUSS THE ISSUES THAT ARE AFFECTING CHILDREN. TOGETHER, WE CAN COME UP WITH A PLAN.

SO WHAT HAVE WE BEEN DOING?



**CHILDREN & YOUNG PEOPLE'S Commissioner Scotland**

**OUR YEAR 2020/21: REPORT FOR CHILDREN AND YOUNG PEOPLE**

Every year, we report to you about our work. This is our report for the year between April 2020 and March 2021, which began around the same time as lockdown.

**WHAT HAVE WE BEEN DOING?**

The UK went into lockdown because of coronavirus in March 2020 and we started working on the impact this was going to have on your rights.

- We were most worried about schools closing, families living in poverty, and mental health.
- We worked with children's rights experts to assess how coronavirus was affecting children.
- And this helped adults understand how decisions and laws affected you.
- When exams were cancelled, we told the Scottish Government and the SQA they had to listen to young people.
- We worked with the World Health Organization to look at how schooling could continue while keeping everyone safe.
- We reported to the UN on how well the government is doing on children's rights.
- We have been campaigning to protect children from harm. A new law said adults can no longer use any physical punishment on children.
- We've told the Scottish Government about how important it is to speak to you about climate justice.

**OUR INVESTIGATIONS**

Our Advice and Investigations team help the Commissioner use his power to investigate issues impacting children's human rights.

- We investigated if children were being locked up in prisons without proper laws being followed.
- Our previous work on restraint and seclusion in schools was used this year to make things better for children.

**WHO ARE WE?**

The Children and Young People's Commissioner is Bruce Adamson. His job is to promote and protect your human rights if you're under 18 or up to 21 if you have care experience. He works with a team of people.

- We work to make sure the laws that affect your lives are fair.
- We help you understand how valuable and important your rights are.
- We make sure adults in Scotland know more about your rights so they can see where they need to make changes.
- We put you at the heart of our work and will listen and learn from you.
- We work with Young Advisers who tell us what they think about lots of issues.

**INVOLVING YOU**

Working directly with you is essential to our work. Here are some of the ways that's happened this year...

- Our Young Advisers told us when their rights like education and health were not upheld in the pandemic.
- They helped us respond to issues such as poverty, education, digital exclusion, and mental health.
- They gave evidence to the Scottish Parliament and appeared at the United Nations.
- We spoke online to children all over the country so they could tell us about their experiences.

**GETTING ADVICE**

This year we helped even more people get advice on children's human rights. They asked about loads of different things relating to Covid, like support for children with additional needs and rules around whole classes having to isolate.

**PUTTING YOUR RIGHTS INTO LAW**

Our office has been campaigning alongside children for a long time to make the United Nations on the Convention on the Rights of the

Child (UNCRC) a part of our law. This is the most important thing we can do to protect your rights.

- In March 2021, the Scottish Parliament voted to incorporate the UNCRC into Scots law. It means that the Scottish Government will need to keep its promises to children and young people.
- The UK Government has challenged parts of the bill that will make the law so more work has to be done. But incorporation will still happen.

**"Incorporation means children's voices will be heard. They will be listened to and know that they matter."** Abigail, Young Adviser

**WHAT'S NEXT?**

Here are some of the things we'll be doing...

- We'll continue to promote and protect children's human rights during the pandemic.
- We are going to hit the road and chat to as many of you as we can in person as long as Covid-19 measures allow! We can't wait to hear your views.
- We are working with three new groups of Young Advisers. They'll be telling us about the issues that matter to them like mental health.
- We're looking forward to supporting young human rights defenders to demand change at climate conference COP26 in Glasgow.

**THANK YOU!**

We want to thank you all for helping us this year. You are all incredible human rights defenders. Special thanks to our out-going group of Young Advisers. We couldn't have championed children's rights without you by our sides.

## Gaelic Language







# Human Rights Defenders



In August 2018, we created a Young Human Rights Defenders Action Group

12 children human rights defenders from across Scotland aged 14 – 20 years old, with diverse life experiences and each defending a different human rights issue.

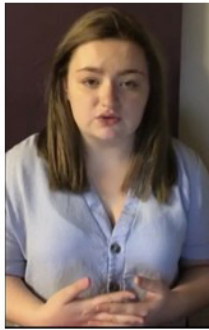
We captured their stories and recommendations on what support duty-bearers should provide to protect and empower children human rights defenders. Our report *Promote, Protect, Defend: A report on children and young people as human rights defenders in year's work with over 200 children on what it means to be a young human rights defender in Scotland.*

## UN Day of General Discussion 2018



Myself, @SukiMSYP, @JohnWalkerMSYP, @JoshKenMSYP, @RMcCall\_MSYP, @Bruce\_Adamson, and Members of @Creative\_Voices are in the @ScotParl today for a video link with Wales leading up to the UN Day of General Discussion. A great way to show #SYPrights #HumanRightsDefenders



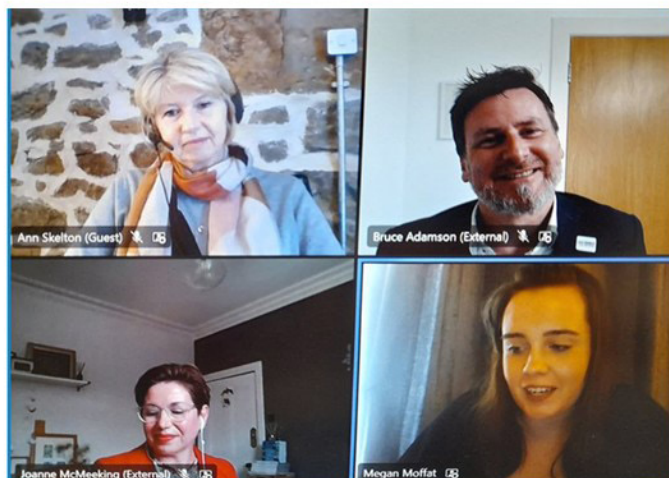


**Young Adviser Hope Speaking at the Human Rights Council Social Forum on Poverty (2020)**



CELGIS @CELGIStweets · Jun 22, 2022

We had a fantastic and thought-provoking discussion this afternoon with Prof Ann Skelton, @Bruce\_Adamson, @meganisfine @meekmacs and about the recommendations from the @UN #DGD on Children's Rights and Alternative Care. (1/2)





### Connecting with other Human Rights Defenders



christina nomdo  
@NomdoChristina

A highlight of Saadiq's 🇿🇦 first day @UNGeneva was meeting @Bruce\_Adamson, Children and Young People's Commissioner Scotland @CYPSC after he presented at @UN\_HRC Universal Periodic Review process. #littlevoicesMUSTcount #littlevoicesDOcount



### 16th United Nations Climate Change Conference of Youth (COY16)

- Lily, Young Adviser to Children and Young People's Commissioner Scotland
- Dr. Najat Maalla M'jid, United Nations Special Representative of the Secretary-General on Violence against Children
- Laura, 17, Shetland
- Mr. Bruce Adamson, Children and Young People's Commissioner Scotland
- Climate Changemakers: Members of Children's Parliament, Scotland







**General  
Comment**

NO:26 Environmental  
Rights - under 5s

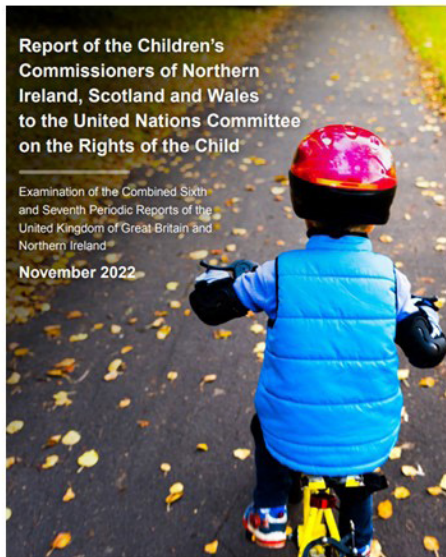
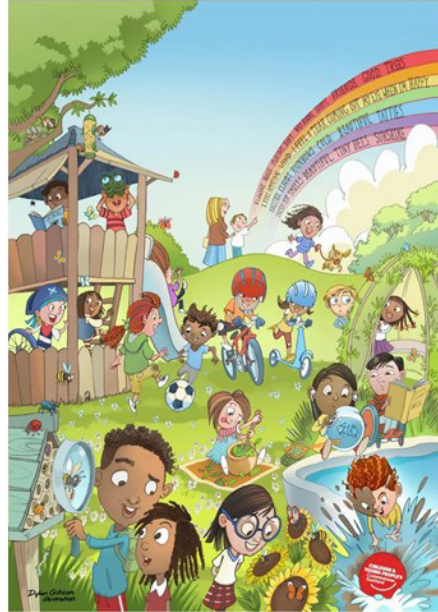






# General Comment

NO:26 **Environmental Rights** - under 5s



Report of the Children's Commissioners of Northern Ireland, Scotland and Wales to the United Nations Committee on the Rights of the Child

Examination of the Combined Sixth and Seventh Periodic Reports of the United Kingdom of Great Britain and Northern Ireland

November 2022



YOUR DECISIONS

- OUR LIFE, OUR RIGHTS, OUR SAY!

REPORT FROM THE CHILDREN OF NORTHERN IRELAND, SCOTLAND AND WALES TO THE UNITED NATIONS COMMITTEE ON THE RIGHTS OF THE CHILD

NOVEMBER 2022





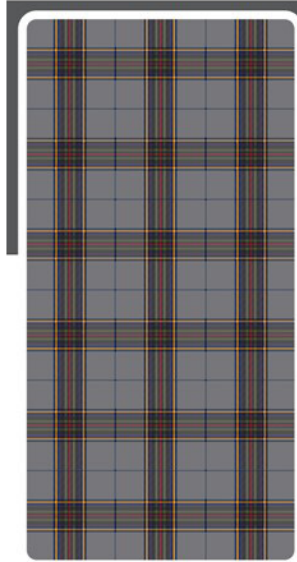


Committee Against Torture





## Worlds Only Human Rights Defenders Tartan



The origin of the Child Human Rights Defenders tartan is the 2018 United Nations Committee on the Rights of the Child Day of General Discussion which had the theme of child human rights defenders. Children from Scotland attended the event at the United Nations in tartan trews and kilts and made a major impression on international delegates.

There has been growing recognition in Scotland and globally of the role of children are playing as human rights defenders, particularly on issues such as climate justice. One of the themes that has developed is that child human rights defenders value the sense of identity and belonging that being a human rights gives to them. The young advisers to the office of the Children and Young People's Commissioner Scotland suggested a tartan as a uniquely Scottish way to capture that sense of identity in a way that also reflected Scotland's global leadership on the issue.

The tartan was designed by young human rights defenders and incorporates the following principles:

The grey background and black lines represents the challenges of standing up for human rights and reference a Māori proverb used by the Commissioner "He pōkēkē Uenuku i tu ai" which means "Against the dark cloud the rainbow stands out brightly" and symbolises the bravery of human rights defenders.

The colours which stand out brightly as a rainbow against the darkness are:

- Red** – symbolises stopping injustices and passion
- Yellow** - symbolises happiness, positive change & optimism
- Green** - symbolises growth, climate and nature
- Blue** – to represent Scotland, the Council of Europe and the United Nations – the human rights framework
- Purple** – represents youth, energy and the colour of our thistle

## Incorporation

While there are other means to ensure accountability, the CRC has clearly highlighted the importance the importance of clear legal measures of implementation, with clear domestic accountability (see GC 5).

Incorporation features heavily in Concluding Observations from the Committee.





# Incorporation Timeline

- 2014 - 2017 - campaigning
- 2017 - Scottish Government agrees to consider UNCRC Incorporation
- 2018 - Scottish Government agrees to incorporate, but sets no timeframe
- 2018 - CYPCS/Together Expert Advisory Group drafts a Bill
- 2019 - Scottish Government Consultation
- 2020 - Bill introduced to Scottish Parliament
- 2021 - Unanimously passed, challenged in the Supreme Court, ruled *ultra vires* as the scope infringed on Acts of the UK Parliament
- 2022 - Delay and Prevarication
- 2023 - Reconsideration with scope narrowed to exclude Acts of UK Parliament
- 16 February 2024 - Royal Assent, Scottish Government rules out early commencement, so will come into force on last possible date
- 16 July 2024 - Commencement

1. Today the @ScotParl considers Stage 3 of the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Bill. If passed, following Royal Assent, it will come into force later this year! #UNCRCScotland



# Incorporation

## Full and direct

Incorporate UNCRC and Optional Protocols into law insofar as possible within the powers of the Scottish Parliament.

## Compatibility duty

To enable remedy and redress.

## Due regard duty

Encourage a proactive approach to children' s rights.

## Jurisprudence of UN Committee

Considered in interpreting UNCRC requirements.

**High priority in legal system** - strike down powers.

## Future-proofing

Allowing for change in powers of Scottish Parliament.

**Child Rights Impact Assessment** - a mandatory duty.

**Children' s Scheme** - including requirements to report on progress, involve children and young people and Children' s Commissioner.

1. Today the @ScotParl considers Stage 3 of the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Bill. If passed, following Royal Assent, it will come into force later this year! #UNCRCScotland





44  
Institutions

34  
Countries

ENOC gathers 44 independent children's rights institutions in 34 countries within the Council of Europe member states

**enoc** RECOMMENDATIONS ENYA

**HEALTH**  
TAKE CARE OF MENTAL HEALTH  
PROVIDE CHILDREN WITH ACCESS TO HEALTH SERVICES  
PROMOTE FOR DISABLED CHILDREN

**EDUCATION**  
665,000,000 ABSENT CHILDREN  
TEACHING OF DIGITAL SKILLS  
NEED FOR EQUIPMENT  
DIGITAL TOOLS  
NEED FOR INTERACTIVE LEARNING

**POVERTY**  
PROVIDE BASIC GOODS  
IMPROVE ACCESS TO EDUCATION  
FLEXIBLE SCHEDULES FOR PROFESSIONALS  
HELP RESEARCHERS  
ADULT EDUCATIONAL TRAINING FOR ADULTS  
SUPPORT FAMILIES IN RISK

**VIOLENCE & ABUSE**  
SUPPORT FOR VICTIMS  
SAFE SPACES  
RESEARCH IS IMPACTFUL  
AWARENESS FOR REDUCING VIOLENCE  
ADULTS USING COMMUNITIES  
IN SOCIAL MEDIA  
IN THE STREET

**enoc** PARTICIPATION  
INVOLVE CHILDREN WITH DISABILITIES AND INTERESTS  
CHILD PARTICIPATION SHOULD BE PART OF THE CURRICULUM  
COLLECTIVE PARTICIPATION

**PLAY & LEISURE**  
PROMOTE SPACES FOR RECREATION ACTIVITIES  
MORE FUNDING FOR RECREATION & ACTIVITIES  
GOVERNMENTS SHOULD CONSIDER CHILDREN'S NEEDS FOR RECREATION ACTIVITIES: SPORTS, CULTURE

**enoc** INFORMATION  
WE NEED TO UNDERSTAND WHY  
STOP STIGMATIZING YOUNG PEOPLE  
EXPLAIN BETTER  
IMPROVE FOOD LANGUAGE  
USE THE DEEP

**DIGITAL ENVIRONMENT**  
LEARN TO STAY SAFE ONLINE  
DIGITAL SKILLS  
SUPPORT FAMILIES  
FAMILY DISAPPROVAL  
HELP CHILDREN WITH THE DIGITAL SKILLS

<https://vimeo.com/622322583>





# ENYA

Let' s Talk Young, Let' s Talk  
About Climate Justice  
2022

Let' s Talk Young, Let' s Talk  
About Protecting and Promoting  
Children' s Rights 2023



## WHO ARE WE?

WE WORK TO MAKE  
SURE THE LAWS THAT AFFECT  
YOUR LIVES ARE FAIR.

WE HELP YOU UNDERSTAND  
HOW VALUABLE AND IMPORTANT  
YOUR RIGHTS ARE.

WE MAKE SURE ADULTS IN  
SCOTLAND KNOW MORE ABOUT YOUR  
RIGHTS SO THEY CAN SEE WHERE THEY  
SHOULD MAKE CHANGES.

WE PUT YOU AT THE HEART  
OF OUR WORK AND WILL LISTEN  
AND LEARN FROM YOU.

WE WORK WITH  
YOUNG ADVISERS ON  
THE RIGHTS ISSUES THAT  
CHILDREN AND YOUNG  
PEOPLE HAVE TOLD US  
MATTER MOST.

### WHO IS THE COMMISSIONER?

In May 2017, Bruce Adamson was given the job of Children and Young People's Commissioner for a six-year term. He is Scotland's third Commissioner since the role was created by the Scottish Parliament in 2003.

Every year we report to you about our work. This is our report for you for April 2021 until the end of March 2022. You can read the full report we sent to Parliament on [our website](#).

The Commissioner is someone with authority and powers to promote and protect the human rights of all children and young people in Scotland. That is everyone under 18, and everyone up to 21 who is in care or care experienced.







## MESSAGE FROM THE YOUNG ADVISERS GROUP

Our group of Young Advisers came together in 2021 after the Commissioner's office recruited a new team. We're aged between 14 and 17 and live all over Scotland. Some of us had previous experience and interest in defending children's human rights and some of us were completely new to it. What we all had in common was the desire to get involved and ultimately, make a difference through our work with the office.

That work has been diverse, and we've been able to throw ourselves into it--with plenty of support!

Our groups are:

**ENYA (European Network of Young Advisers) 2021:** We have international links with other young people across Europe through ENOC (European Network of Children's Ombudspersons) and worked on the theme of recovery from Covid-19.

**Mental Health Investigators:** We are examining school counselling provision.

**Governance:** We help the office make decisions about the direction of their work.

"I don't know what I was expecting but I wasn't expecting being a Young Adviser to be as much fun, or such a good experience. I thought 'oh this is just volunteering, I'll do a couple of things now and then but it won't really change much'. But it's honestly shaped me, it's changed who I am and how I act"

Lewis, 16, Young Adviser



"Becoming a Young Adviser has been a great way for all our voices as young people to be heard and for us to make a proper difference in the world."

Rennie, 15, Young Adviser



Just some of the things we have done:

- Worked with other young advisers from across Europe to make recommendations on what help children and young people need to recover from the pandemic, like education, health and relationships.
- Spoke during the UN Climate Change Conference of Youth and continued to work on climate justice which is one of our main issues.
- Wrote about food poverty, disabled young people's rights, right to protest and produced a film about the rights of deaf children.

"My experiences of the ENYA forum 2021 are nothing but positive! The whole experience was fun no matter what session we were on. From a virtual tour to a live escape room, the whole experience was fantastic."

Ally, 17, Young Adviser



## WHAT DO WE DO?

"Every single day of delay of incorporation of the UNCRC is a day when children's rights are not protected in law."

Bruce Adamson, Children and Young People's Commissioner Scotland

### GETTING ON THE ROAD!

Making sure you are involved in what we do is essential. When we were allowed to travel after Covid restrictions, Bruce and the team embarked on a Participation Roadshow visiting children and young people across Scotland, making sure we didn't just go to cities but also the countryside and islands, including Shetland and Orkney.

We've sung in nurseries, run workshops in schools and rolled on mats learning Judo. The important part was getting to where you live to hear what mattered to you.



"Incorporation of the UNCRC will give young people a sense of security and it will really benefit their quality of life. They'll feel safe in the knowledge that their rights are in law."

Young person

### PUTTING RIGHTS INTO LAW - INCORPORATION OF UNCRC

Alongside children and young people, we continued to fight for your human rights to become part of our law. Having your rights in law means that when they are not respected, you can challenge this in court.

The UNCRC contains rights covering all aspects of children's lives. On 16 March, 2021, after decades of campaigning, the Scottish Parliament unanimously voted for it to become a part of our law.

But it hasn't happened yet. The Scottish Government need to do some work on the law so that it can happen. This has taken too long already, and we have worked this year to press for the work that needs to be done to make this happen.



"The Scottish Government needs to recognise that young people are crying out for help. We need more mental health support, we want our exams and our schooling to be sorted. We need them to be clear on restrictions, and we've been asking for that for so long. They are going to have to listen to us, and they have to make a change"

Young Consultant Aimee, 17, from Denny, Falkirk

### #SCOTYOUTHANDCOVID

Shortly after the first lockdown began in March 2020, an organisation called A Place in Childhood (APIC) gathered young people from across Scotland (calling them Young Consultants) in a series of online workshops to find out how the pandemic was affecting them.

- In 2021, we supported APIC to continue their work with the 25 Young Consultants, aged between 11 and 17, and from Glasgow, Aberdeen, Edinburgh, rural Falkirk and rural Stirlingshire.
- They reflected on their return to school in autumn 2020 and explored their experiences throughout the second lockdown which began in December 2020.
- Their second report collected their findings and highlighted their 34 Asks to the Scottish Government for meaningful change to allow them "to feel young again".
- The Asks included "redesigning assessments for national qualifications recognising that teachers have struggled in the pandemic and that they need to be supported too" schools and teachers ensuring that workloads are not overwhelming" making sure children and young people are listened to.
- The project then focused on listening to those who feel least heard over the pandemic including children with Long Covid, young carers, young people seeking asylum and younger children and children of prisoners.

The Young Consultants aim to create a 'manifesto for change' that will tell people in power what needs to happen to ensure children and young people are a key part of decision-making as the country recovers from the pandemic.

"It's important we know our rights and what to do when someone isn't upholding them."

A young person from Shetland



### EDUCATION

Due to the pandemic, young people in Scotland have now faced disruption to SQA exams and assessments in two academic years. That has severely affected the right to education.

- We continued to press Scottish Government and the SQA to do more to support young people.
- We raised concerns with the SQA that their consultation on the 2021 appeals process was not accessible to young people and did not encourage them to participate.
- In April 2021, we highlighted that the SQA's Alternative Certification Model did not respect rights and needed to take exceptional circumstances into account, just as they are in years where there isn't a global pandemic.
- We also published information about how to ask for extra support at school.

*"I feel like lessons weren't learned from the first year of the pandemic when exams were cancelled. Our teachers have tried their best but we've not had much communication from the people in charge. I've never spoken to an SQA representative in my life."*  
**Female pupil, All Saints Secondary School**

**Freedom from poverty helps all children flourish**

**"When you're poor, you give up on your dreams"**  
*Child reflecting on how living in poverty feels to them*

### POVERTY IS A HUMAN RIGHTS ISSUE

Poverty needs to be addressed as it affects every single aspect of children and young people's lives, including ability to learn, mental and physical health, development, ability to socialise and engage in cultural activities and future opportunities.

In September, we responded to the Scottish Government's rapid consultation on an updated Tackling Child Poverty Delivery Plan, highlighting that child poverty is a political choice and is avoidable.

The Commissioner went to the UK Parliament and gave evidence on child poverty targets and called to maintain the £20 uplift in Universal Credit, which the Government intended to cut (it did in October 2021).

We worked with the Poverty and Inequality Commission to ensure young people's views informed the Commission's Child Poverty Scrutiny Report 2021-22. We worked with the Commission and Aberlour to deliver three workshops with young people aged between 12 and 17, including one session with our Young Advisers Group. In the sessions, the young people explored what child poverty meant to them, their thoughts on the actions being taken to reduce child poverty and what more needs to be done to tackle it.

### CHILDREN IN PRISON

We continue to work to make Scotland a country which does not lock up children in prison.

No child should be in prison. Children need to be treated as children and we must look at what might have happened in their lives to get them to this point.

Children in prison have often had many upsetting and difficult challenges in their childhoods, like family breakdown, separation, and bereavement, and they are likely to have experienced abuse or neglect.

We helped the HM Inspectorate of Prisons for Scotland (HMIPS) carry out a health and wellbeing survey on everyone under-18 in the Young Offenders Institution at Polmont and 46% of the children who took part said they felt stressed and anxious all the time. Locking up a child is the most serious thing a government can do and they have to take account of their human rights.

### CHILDREN IN CONFLICT WITH THE LAW

We've continued our work to help children in contact with the police.

In Scotland, the age at which a child can be treated as a criminal and charged by the police is only 12. This is far too young; human rights experts say that it should be at least 14 and that an even higher age is better. We will not stop pushing the Scottish Government to change this.

### KNOW YOUR RIGHTS WHEN ENTERING CUSTODY

If you are under 18 and in custody, you still have human rights. No matter who you are or what you have done, you have the right to be treated fairly. That means you should get all the things you are entitled to and you should not be discriminated against if you are taken into police custody. In October, along with CYCJ, we produced a resource developed with young people currently in HMPYOI Polmont, as part of Youth Justice Voice's Inside Out participation project, called **Know Your Rights When Entering Custody**. We also have **Vietnamese, Arabic, and Polish** translations available.

### LAWS AND POLICIES

We use our human rights expertise to make sure that laws and policies that are being created or changed take into account children's human rights. This year we have submitted evidence to the Scottish Parliament, Scottish Government and international bodies like the UN. We have raised concerns about lots of human rights issues including the way the UK treats children coming to the country to seek asylum for their own safety, about the right to food, about making a new national care service work for those under 18, poverty, education reform and protecting young human rights defenders.

### INVESTIGATIONS

If we believe people who make decisions, like councils, are not respecting your human rights, we can use our legal powers to investigate and demand changes.

- This year we investigated whether councils followed laws when placing children in secure care. Children should only go to secure care – where they aren't allowed to leave – if there is nowhere else they can get help. Locking children up is very serious, and councils must follow the law. Following our investigation, the Scottish Government promised to look at what's happening.
- We also started an investigation into mental health with our Young Advisers. Working as Mental Health Investigators, they are examining mental health support offered in schools.

### INTERNATIONAL WORK

This year Commissioner Bruce was Chair of the European Network of Children's Ombudspersons (ENOC) This is a group of other offices who promote and protect children's human rights and we come together to make sure that children's rights are upheld across Europe. Bruce represented ENOC at the United Nations, Council of Europe, and the EU and our Young Advisers worked with other European young people on projects.

We also met colleagues online from outside Europe, from Children's Commissioners' offices such as Australia, New Zealand, and South Africa's Western Cape to share best practice and learning. And we joined other experts on a special World Health Organization group to make sure schools in Europe stayed safe during the pandemic.

### COMMUNICATING ABOUT RIGHTS

One of the key roles of the office is to make sure that children, young people, and adults know and understand about children's human rights. We work to influence meaningful change by highlighting a vast range of rights issues to a wide range of audiences, and we've created opportunities for young people's voices to be heard in the media and offered their perspective in as much of our media work as possible.

We have spoken out about so many issues including:

- \*Impact of the pandemic
- \*vaccinations
- \*education
- \*exams and assessments
- \*mental health
- \*poverty
- \*climate justice
- \*locking children up
- \*rights of refugees and asylum seekers
- \*putting rights into law\*

We have also contributed to conferences and films to raise awareness of rights, often sharing the platform with our young advisers or giving over the space entirely to them.

*"I was really excited to come up with a design for a new Scouts badge, I love drawing and design, so thought it would be fun. My design put the Human Rights logo at the centre of the badge, as it is already a recognised symbol. Like every Scout badge, my design has the Fleur de Lis on it. I also chose to put a map of the world in the background, because children from across the world all have rights. I hope all Cubs and Scouts like my design and are all looking forward to earning the Rights Challenge Badge as much as I am."*  
**Christopher, 10, Lenzie**

### HUMAN RIGHTS EDUCATION

This year we created a Rights Challenge Badge with Scouts Scotland. Now over 20,000 Cubs and Scouts aged eight to 14 can complete activities and be empowered to know and use their rights. The badge design was chosen from a competition open to all members of Scouts Scotland.





## WAR IN UKRAINE

The war in Ukraine has a massive impact on children and young people, including Ukrainian children and families seeking safety in Scotland, Ukrainian and Russian children living in Scotland, and children and young people in Scotland, who may be worried and distressed by the coverage of the war in the media.

- We led the European Network of Children's Ombudspersons (ENOC) response to issue statements to European bodies to ensure the protection of children and families seeking safety from the conflict.
- With the other Children's Commissioners in the UK, we sent a joint letter to the Prime Minister about the UK Government response to the war and setting out what measures should happen to protect children immediately.
- We also communicated to children about how and where to get help if they are affected by the war.
- We kept in close touch with the Ukrainian Children's Commissioner to provide support to their work to promote and safeguard children's rights in Ukraine.
- We created a printable poster from a 7 Word Story which was written by a child in Scotland in 2019, which says 'Rights Matter. You Matter. Don't Lose Hope.' It was translated into Ukrainian and Russian in a message of solidarity and hope to children affected by the war: in Ukraine, in Russia and in Scotland.

It's OK to feel sad, upset or scared. But there are things you can do to help you make sense of what's happening in Ukraine.

## GETTING ADVICE

In 2021/22 people contacted us still worried about the impact of Covid-19 on human rights. We got questions about support for learning and mental health. There's not enough help available, and it can be hard to access mental health services and the pandemic has only made this worse.

You can contact us if you need advice about your human rights.  
Email [inbox@cypcs.org.uk](mailto:inbox@cypcs.org.uk) or text 0770 233 5720 (texts will be charged at your standard network rate) and we'll get back to you.

## WHAT NEXT?

We'll keep demanding that children's rights are made a part of law as well as standing up against any UK Government proposals to change your existing rights within the Human Rights Act.

We'll keep involving you in our work to make sure that your views are heard.

The Scottish Parliament will be choosing a new Commissioner in 2023 and after six years Bruce Adamson will say goodbye. But our work on mental health, poverty and climate justice will continue until 2024. You can help us choose our main issues after that.

WE WANT TO THANK ALL THE CHILDREN AND YOUNG PEOPLE WHO'VE HELPED US THIS YEAR. YOU ARE ALL INCREDIBLE HUMAN RIGHTS DEFENDERS. SPECIAL THANKS TO OUR YOUNG ADVISERS. WE COULDN'T HAVE CHAMPIONED CHILDREN'S RIGHTS PROPERLY WITHOUT YOU BY OUR SIDES.



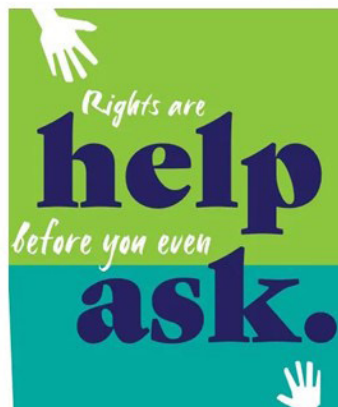
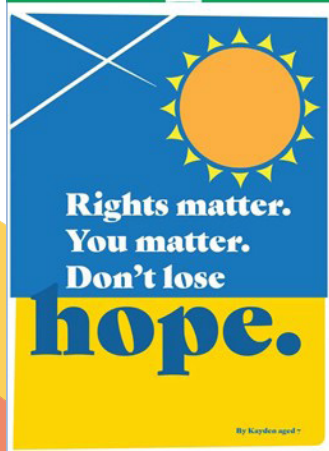
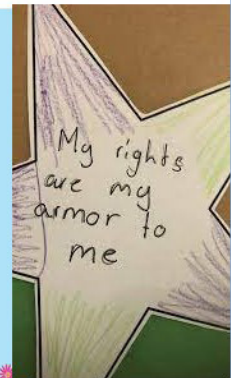
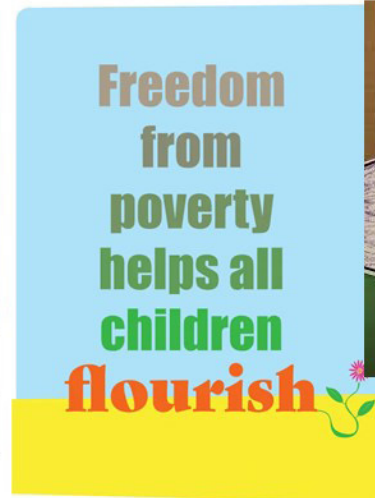
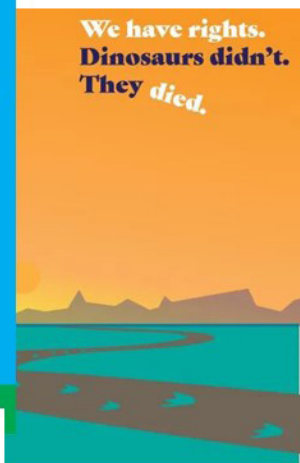
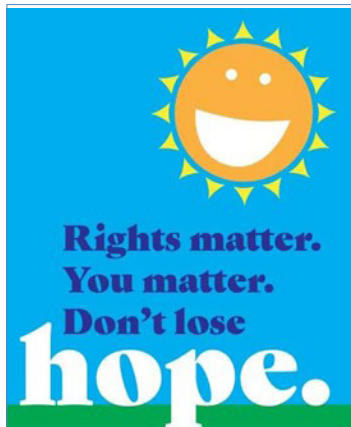
Bridgeside House  
99 McDonald Road  
Edinburgh EH7 4NS  
Tel: 0131 346 5350  
Young Persons' Freephone: 0800 019 1179  
Email: [inbox@cypcs.org.uk](mailto:inbox@cypcs.org.uk)

[cypcs.org.uk](http://cypcs.org.uk)  
[@cypcs](https://www.instagram.com/cypcs) [@cypcs](https://www.facebook.com/cypcs) [f/cypcs](https://www.youtube.com/c/cypcs)

If you would like this document in another format, please let us know.

10

11



#7WordStory







ombudsman  
do leanaí  
for children

## Amplifying the voices of children

OCO Ireland helping  
celebrating UNCRC  
35<sup>th</sup> Anniversary in  
Taiwan

## Ireland and our child population





## Ombudsman for Children Ireland

- Ombudsman for Children Act, 2002
- Independent statutory body
- Presidential appointment
- Direct accountability to the Oireachtas



### 1. Complaint Handling

Free, Independent & Impartial

Alternative to Court

### 2. Promotion of Children's Rights and Welfare

Promote Children's Rights

Consult children and highlight their concerns

Monitor and advise on legislation and public policy

Undertake or commission research





## Children's Voices



Children's Report to the UN Committee on the Rights of the Child 2022

<https://www.oco.ie/pieces-of-us/gallery/>





## Key issues from 2023 UNCRC report on Ireland

- The large number of children living in poverty including children from disadvantaged families, children of lone parents, refugee children and children of ethnic minority groups
- The intersection between poverty and discrimination, particularly among Traveller and Roma children
- The high volume of homeless families and children
- The high rates of bullying and the need to keep pace with demand for mental health services
- The need for support for children with disabilities including strengthening social inclusion, early intervention programmes and capacity building for professionals.









## National Indicators for Progress

- 1 ACTIVE AND HEALTHY**
- 2 ACHIEVING IN LEARNING AND DEVELOPMENT**
- 3 SAFE AND PROTECTED FROM HARM**
- 4 ECONOMIC SECURITY AND OPPORTUNITY**
- 5 CONNECTED, RESPECTED AND CONTRIBUTING TO THEIR WORLD**



<https://www.gov.ie/en/publication/03f4b-children-and-young-peoples-indicator-set/>







<https://www.youtube.com/watch?v=K55WBimEVBw>



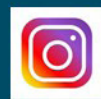
**Thank You**

**FREEPHONE: 1800 20 20 40**



**ombudsman  
do leanai  
for children**

T: 01 865 6800  
E: oco@oco.ie  
@OCO\_ireland  
[www.oco.ie](http://www.oco.ie)





## Mechanism for Young People to participate in public issues--Rong-Yu Liu

# How Children and Youth Engage in Public Participation

Presenter: Liu Rong-Yu



### About Me:

- I'm 19 years old, studying in the Department of Biochemical Science and Technology at Chiayi University.
- I have served as a children and youth representative for three years (though I'm a bit older now).
- I engage in educational advocacy and have established an education association with my partners.
- Despite being somewhat free-spirited, I do experience some appearance anxiety.



## How I Became a Children and Youth Representative



Me 13 years ago



In a not-so-ideal educational environment



Children and youth representative (rights advocate)

## Participation Mechanism for Children and Youth Representatives



Local governments (county and city governments)



Local Child and Youth Welfare and Rights Committees



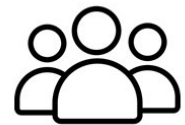
The central government



Accident and Injury Prevention and Control Team, Ministry of Health and Welfare



Child and Youth Welfare and Rights Committee, Executive Yuan



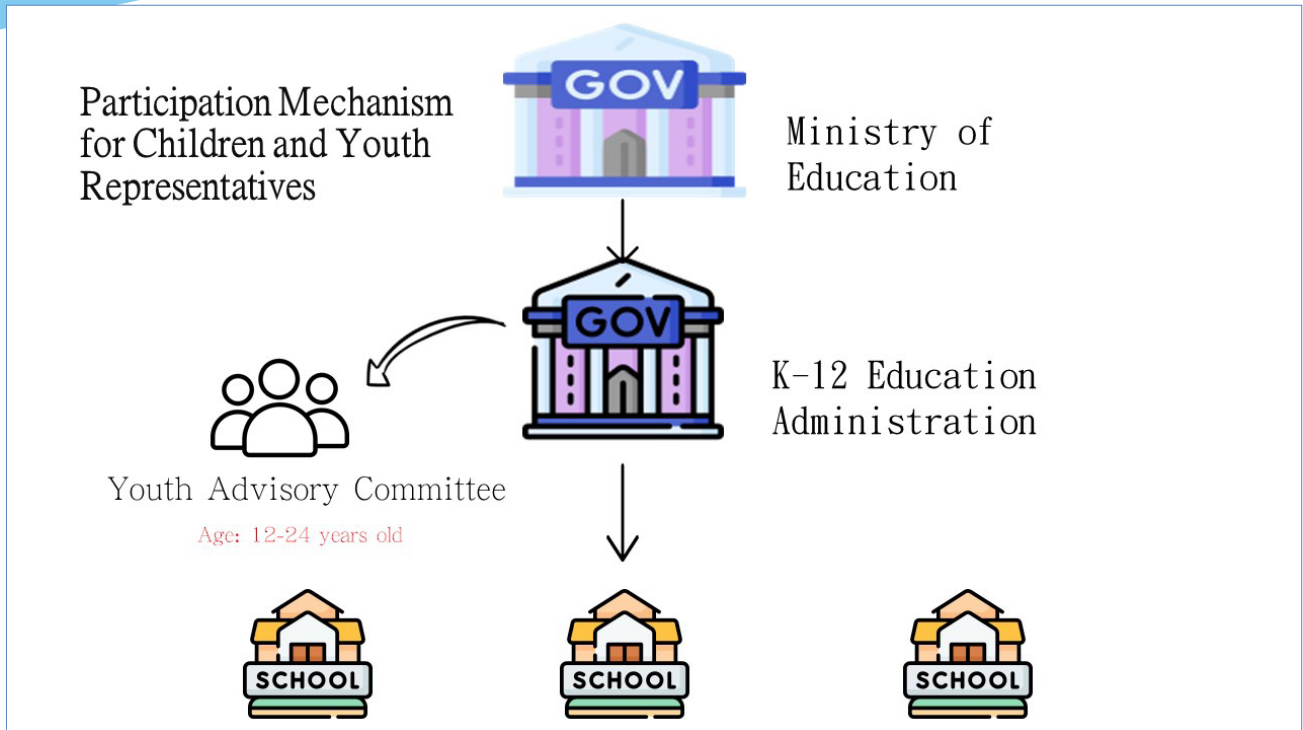
Child and Youth Welfare and Rights Committee, Ministry of Health and Welfare







## Mechanism for Young People to participate in public issues--Rong-Yu Liu



### How Children and Youth Initially Become Representatives



Local governments (county and city governments)

Regular selection of children and youth representatives occurs once or twice a year (depending on local regulations).

- The county and city governments specify the age range of representatives to be between 0-20 years.
- During local selection, factors considered include special identities, age, gender ratio, and issues the candidates focus on

select and recommend representatives to

Each local government recommends three representatives to join the **Central Children and Youth Delegation**.

- Delegation members must be under 18 at the time of appointment.
- Term lasts for two years.



The Central Children and Youth Delegation



## The Process of Children and Youth Generating and Expressing Opinions:



The Central Children and Youth Delegation gathers local opinions



Consults with experts



Lobbies adult committee members

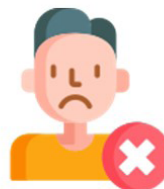
## How the Taiwanese Government Listens to Children and Youth Opinions:

- In Taiwan, not every government department includes children and youth participation.
- Currently, only the Executive Yuan, the Ministry of Health and Welfare, the Ministry of Education, and local governments have established specialized children and youth committees.



Friendly meetings

- Children and youth only need to present the issues they have identified.
- Adult committee members will provide feedback and exchange opinions.
- Officials will make every effort to assist children and youth.



Unfriendly meetings

- Officials respond with bureaucratic language.
- Authorities only refer to their past policies as feedback.
- Children and youth feel their opinions are not valued.
- Children and youth need to gather information or collect signatures.





## Mechanism for Young People to participate in public issues--Rong-Yu Liu

Do You Remember This? (I Know I'm Cute, but Please Look at the Circle on the Right)



Me 13 years ago



In a not-so-ideal educational environment



Children and youth representative (rights advocate)

## Current Situation of Children and Youth Expressing Their Opinions in Taiwan



Formal meetings



Bureaucratic systems and language



Official document terminology





We Are Currently Facing a Significant Change

Your Shot Photograph by James Smart

### The Central Children and Youth Delegation System Is About to Be Broken Down



The Central Children and Youth Delegation

Originally, representatives who could join the committee meetings were elected by children and youth themselves. Now, the selection will be done by the government. Additionally, for the five children and youth committee members in each Child and Youth Welfare and Rights Committee, the government will prioritize appointing one member each from the following groups: those with disabilities, those with indigenous identities, and those under 15 years old.

The age restriction has changed from being under 18 at the time of appointment to being under 18 throughout the term.

Originally, each county and city would recommend three representatives to join the central delegation. This has now changed to allowing only children and youth who are already serving as committee members to be in the delegation.





## Mechanism for Young People to participate in public issues--Rong-Yu Liu



What Are We Anxious and Afraid Of?



For the five children and youth committee members in each Child and Youth Welfare and Rights Committee, the government will prioritize appointing one member each from the following groups: those with disabilities, those with indigenous identities, and those under 15 years old.

What about other disadvantaged groups?



Formal meetings



Originally, each county and city would recommend three representatives to join the central delegation. This has now changed to allowing only children and youth who are already serving as committee members to be in the delegation.

Local representation?  
Support from peers?



Unfriendly bureaucratic system



The age restriction has changed from being under 18 **at the time of appointment** to being under 18 **throughout the term**. The term lasts for two years per appointment.

Who will represent the age group of 16-18?



What Have We Done?



We' ve gathered signatures from hundreds of children and youth representatives.



We' ve lobbied legislators and adult committee members in meetings.



We' ve held multiple coordination meetings.



Thank you for listening.







## Scottish Youth Parliament & the UNCRC



### Why we're here

- Who the Scottish Youth Parliament are
- Scotland's children's rights journey
- Incorporation and implementation of the UNCRC
- Where SYP fit in





## About SYP

SYP is the democratic voice of Scotland's young people. Our vision for Scotland is of a nation that actively listens to and values the meaningful participation of its young people.



## SYP's Values



1 Democracy

3

Inclusion and Diversity

2 Rights

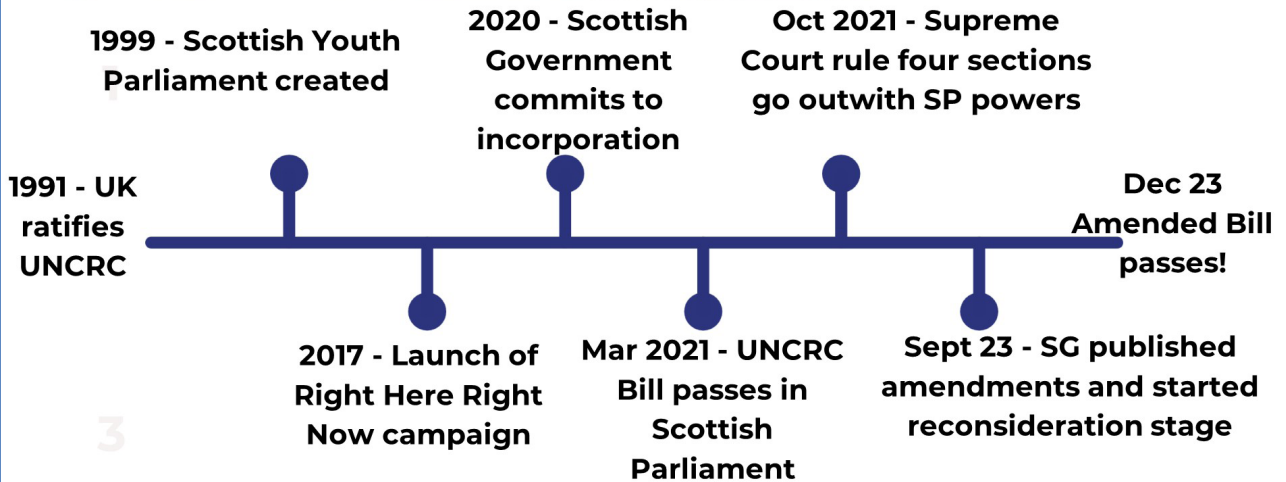
4

Political Impartiality





## Timeline of SYP & the UNCRC



## UNCRC Bill passes!



- 1 Right Here Right Now Campaign
- 2 Rights journey
- 3 But, this only matters if incorporation leads to change

“ I have waited so long that the protections in the UNCRC don't even apply to me anymore





## Why participation?



1

It's not a gift or a favour, it's a right

2

Article 12 underpins the UNCRC - meaningful participation is needed to uphold other rights

3

More inclusive and effective decisions & policies

“  
Nothing about us, without us  
”

## Why now?



1

UNCRC Incorporation (Scotland) Act

2

Young people told us too much engagement is tokenistic or non-existent

3

Need for young people's rights protection as great as it's ever been.





# The Right Way project

## The Right Way Hub



**Resources**

**Case studies**

**FAQs**

**Experiences**



## Article 12 training



1

Free online training developed by young people to give adults with duties the key information they need

2

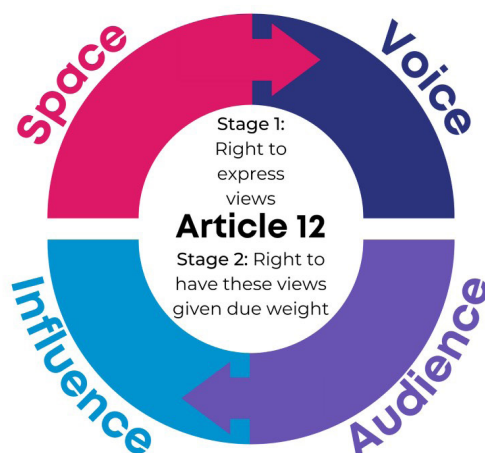
It covers:

- What is the UNCRC
- What is meaningful participation & Theory
- Barriers to participation
- Feedback & feedback loops

## The Lundy Model of Participation



The Lundy Model of Participation was designed by Professor Laura Lundy. It uses 4 elements to explain Article 12 of the UNCRC in action.







## AIM the Right Way



1

Checklists for decision-makers to use when planning participation

2

They help ensure participation is Accessible, Inclusive, and Meaningful



# What's next?



## 1. Support

Young people are experts in their own experiences.

They need to be the ones who determine how participation is designed.



## 2. Challenge

When we see young people not being taken seriously, we'll challenge it.

Every year we meet with the Scottish Government's Cabinet and Executive Team, which is a key opportunity to challenge.





### 3. Full incorporation

The UNCRC Act we now have in Scotland does not go as far as we wanted.

We'll be working in the long term to ensure that children and young people's rights are fully protected in law.

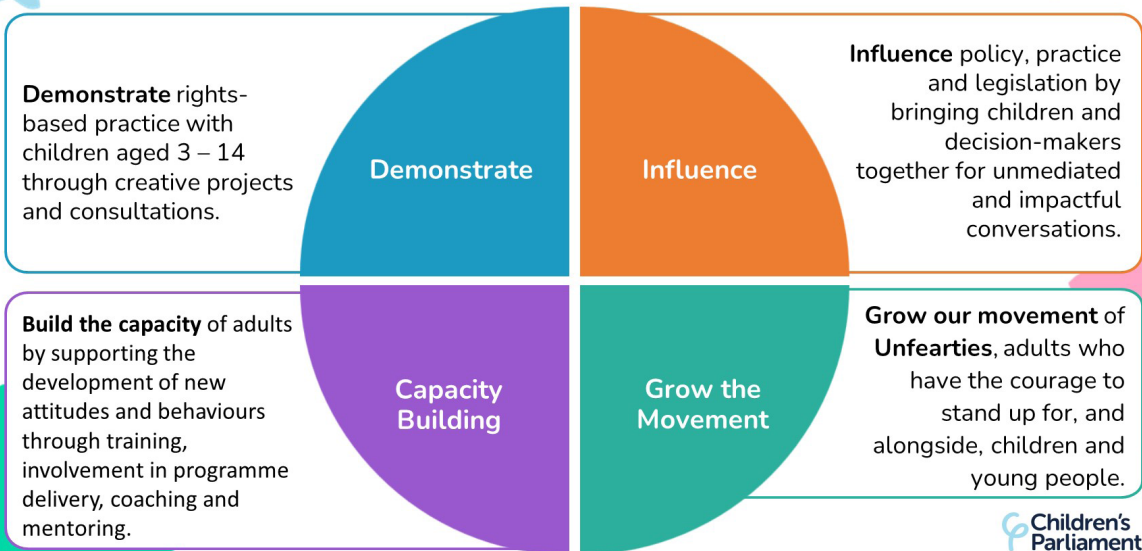


A note from  
our partners

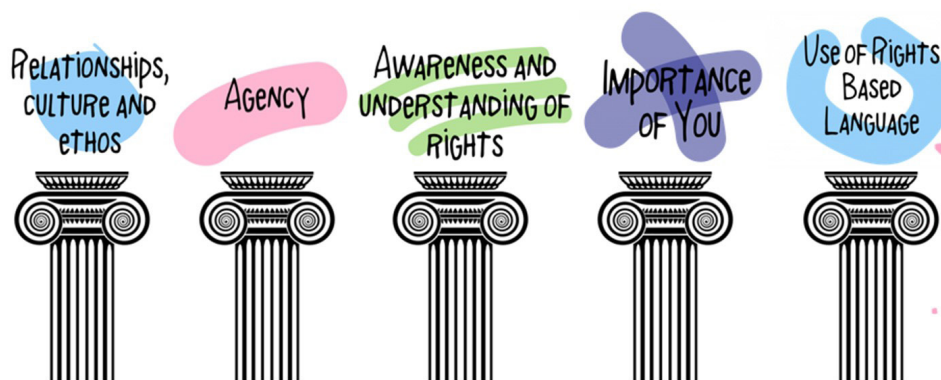




**Mission:** Our dream is that children grow up in a world of **love, happiness and understanding.**



### 5 Pillars of Rights-Based Practice





### Together (Scottish Alliance for Children's Rights)

An NGO alliance with approximately 600 members working to improve the awareness, understanding and implementation of children's human rights in Scotland.

#### Vision:

Scotland becomes a place where every baby, child and young person grows up in an atmosphere of happiness, love and understanding.

#### Mission:

Working with our membership, we act to ensure that all babies, children and young people growing up in Scotland have all their human rights respected, protected, and fulfilled.

#### We do this by:

- promoting the UN Convention on the Rights of the Child;
- helping children's organisations to integrate the UNCRC into their work;
- monitoring and reporting on the progress made at a Scottish and UK level, including through our [#RightsonTrack campaign](#).

Website: [www.togetherscotland.org.uk](http://www.togetherscotland.org.uk)

Follow us on Twitter! @together\_sacr



Scan here to read more on our website:





## UNICEF in Scotland

### Our child rights journey

- UNCRC Act (2024) Scotland
- UNICEF UK Programmes
  - Rights Respecting School Awards: Currently 79% of schools in Scotland are engaged in the programme
  - Baby Friendly Initiative: Scotland leads the way, the programme supports maternity, neonatal, health visiting and children's centre services, ensuring they are giving new-borns and their families the best possible care. All maternity units across Scotland Baby Friendly are accredited.
- Policy and Advocacy

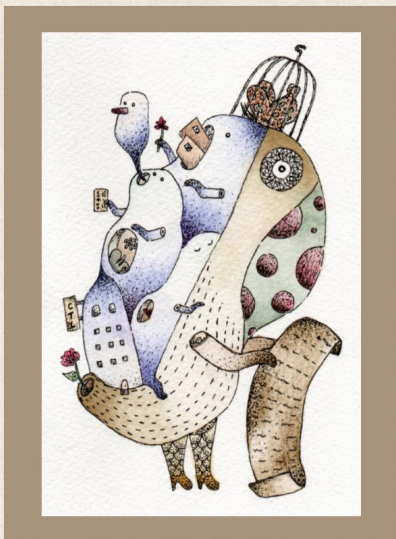






# Empowerment Mechanism for Children and Youth

Cheng Tyan-li  
2024.08.21



*Dream Collector 2023*

## Cheng Tyan-li

#Homeschooler #AnimalsAndPlants  
#Creator

\* Former children and youth representative/committee member of the 5th and 6th Tainan City Child and Youth Welfare and Rights Committees.

\* Former and current children and youth representative/committee member of the 1st and 2nd Child and Youth Welfare and Rights Committees at the Ministry of Health and Welfare and Executive Yuan.





## How I Was Enlightened to Engage in Public Participation

2018

# Children and Youth Representative Mechanism in Taiwan



Local(county and city) governments



The central government







# Cultivation Tainan City's Children and Youth Representatives



# Training The Central Children and Youth Delegation



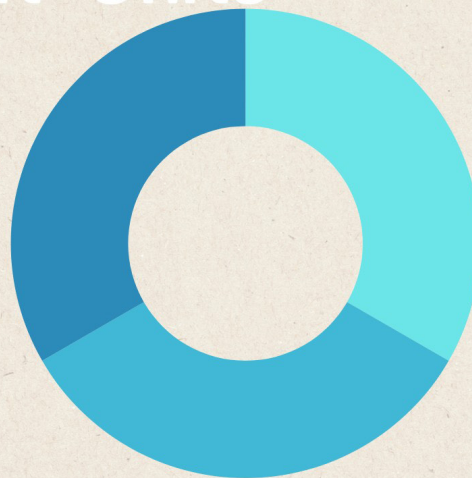




**Why is “empowerment”  
so important for  
children and youth?**

## Empowerment Units

**Administrative  
Affairs**



**Support and  
Companionship**

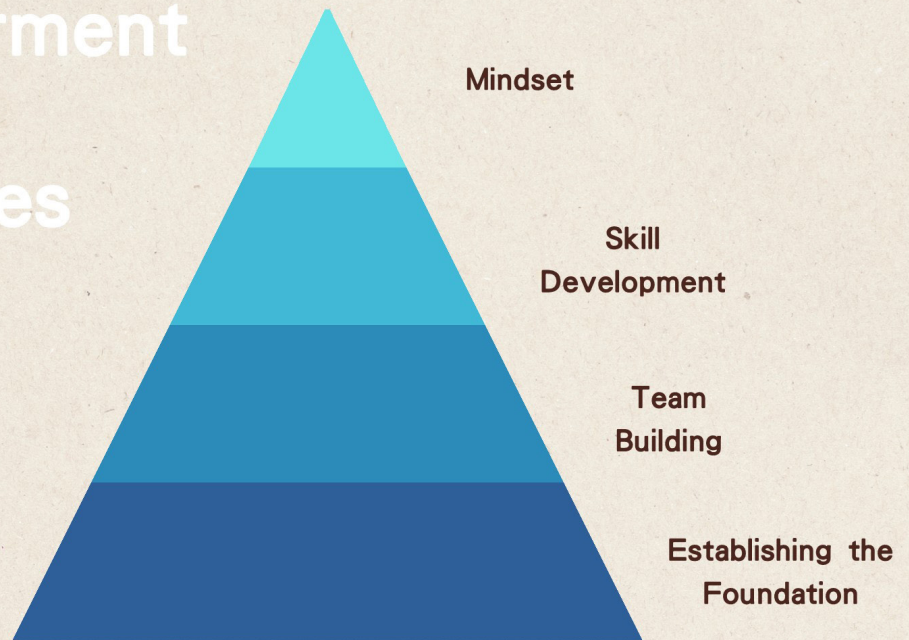
**Expert Information X Resource Matching**





# Empowerment

Includes



# The Power of Empowerment

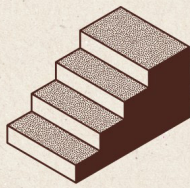






# Empowerment

## Is More Than Just Empowering

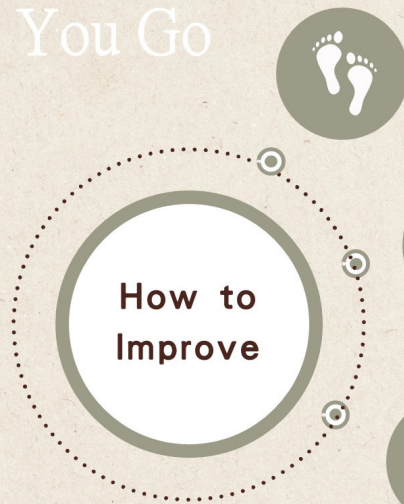


Accumulation



Practice

Do as You Learn  
Improve as You Go



“Understanding” leads to  
“comprehension”

Encouraging diverse forms  
of expression and  
participation

Becoming Familiar  
through Mock Meetings







**Public participation has no limits;  
We can all engage in public  
participation in “our own ways.”**

**Cheng Tyan-li  
Thank you~**