



The Scottish Parliament  
Pàrlamaid na h-Alba

## EDUCATION AND SKILLS COMMITTEE

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### By email

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9 March 2018

Dear Christina

Thank you for your letter of 26 January 2018 regarding the Equalities and Human Rights Committee's inquiry into Human Rights and the Scottish Parliament.

Thank you for setting out the three strands of your work. I have kept my comments to the first two of those, namely the benefits of using human rights in the performance of scrutiny and some examples of our work.

### *The benefits of using human rights in scrutiny*

There is a policy direction in Scotland of ensuring that policy is child/young person-centric and public bodies take a rights-based approach. The Scottish Government states that it is "taking steps to ensure that children experience their rights, as determined by the United Nations Convention on the Rights of the Child (UNCRC), on a daily basis."<sup>1</sup> The Committee is therefore always mindful of children's rights in its work.

### *Examples*

You will be aware, the Committee's work on personal and social education found that PSE provision is patchy and recommended that the Scottish Government review the delivery of PSE across Scotland with a view to "ensure positive outcomes for all our young people" through PSE. This work was very influenced by a rights based approach, particularly ensuring that the health and wellbeing curriculum is broad and meets the needs of children with a number of protected characteristics. The work was also reflective of [UNCRC Article 29, paragraph 1\(d\)](#).

This week, we heard from the Minister for Further Education, Higher Education and Science on a number of aspects of her remit, but primarily on widening access to higher education. This work could be read alongside the [UNCRC Article 28, paragraph 1 \(c\)](#).

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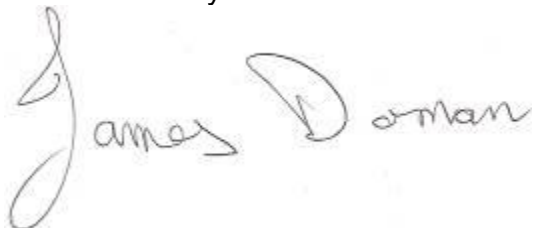
<sup>1</sup> <https://beta.gov.scot/policies/human-rights/childrens-rights/>

The Education and Skills Committee is fortunate that the Children and Young People's Commissioner Scotland's remit has a large cross-over with the remit of the Committee and the current Commissioner has a strong focus on the UNCRC. The CYPCS is a regular contributor to the Committee's work and often highlights specific children's rights issues.

The comprehensive nature of the UNCRC and the policy focus on ensuring that these rights reflect the experience of children and young people in Scotland means that our work is very often looking into topics that are included in the Articles of the Convention. However, this is not always explicitly stated and I would be interested in any conclusions your Committee comes to on whether there would be benefits for links to human rights to be more explicitly identified in a subject committees' work.

I hope you find this response useful for your inquiry. I would be grateful if you could keep this Committee informed of the progress of your inquiry and particularly on your planned engagement work where Members of the Education and Skills Committee could feed into your work directly.

Yours sincerely

A handwritten signature in black ink that reads "James Dornan". The signature is written in a cursive style with a large, looped initial 'J'.

**JAMES DORNAN MSP  
CONVENER**