

NSS welcomes move to enshrine children's rights in Scots law

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The National Secular Society has welcomed plans from the Scottish government to incorporate the United Nations Convention on the Rights of the Child ([CRC](#)) into law.

This week Scotland's first minister Nicola Sturgeon [announced](#) that a bill will soon be introduced to enshrine the convention into law.

The [bill](#) would make it unlawful for public authorities to act incompatibly with the CRC and give power to the children's commissioner to take legal action in relation to children's rights.

Deputy first minister John Swinney [said](#) the bill would "build children's rights into the fabric of decision making in Scotland" and ensure bill children's rights were "respected, protected and fulfilled by public authorities".

Key articles of the convention include:

- [Article 14](#), which protects the right to freedom of thought, conscience and religion.
- Article two, which protects children's right to protection from all forms of discrimination, including discrimination based on their parents' beliefs.
- Article 29, which protects a child's right to an education that develops their personality, talents and abilities to the full.
- Article five, which recognises the child's increasing capacity to make their own choices.
- Article 19, which requires governments to do all they can to ensure children are protected from all forms of violence, abuse, neglect and bad treatment.

NSS comment

NSS head of policy and research Megan Manson said passing the bill would be a "welcome move to give greater protection for children's human rights in Scotland".

"We hope that enshrining the CRC in Scots law leads to greater legal recognition of children's freedom of conscience. This includes a willingness to stand up to religious demands where they undermine children's rights.

"It should lead to a rethink of compulsory religious observance in schools, and state funding for schools that aim to inculcate religious worldviews or discriminate against children on the basis of religion or belief.

"We also hope it will mean the laws currently protecting girls from religious genital cutting will also be extended to boys, so children's fundamental right to bodily autonomy is respected."

Notes

- With the exception of the US, all UN states including the UK have ratified the CRC. The bill would make Scotland the first country in the UK to directly incorporate the CRC into domestic law.
- The Education (Scotland) Act 1980 requires all schools to hold acts religious observance. While parents have the right to withdraw children, children cannot opt themselves out of religious observance.
- Exceptions in the Equality Act 2010 allow schools to have a specific religious ethos and to discriminate against pupils in admissions according to the religion or belief of their parents.
- Girls are protected from female genital mutilation under the Prohibition of Female Genital Mutilation (Scotland) Act 2005.

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