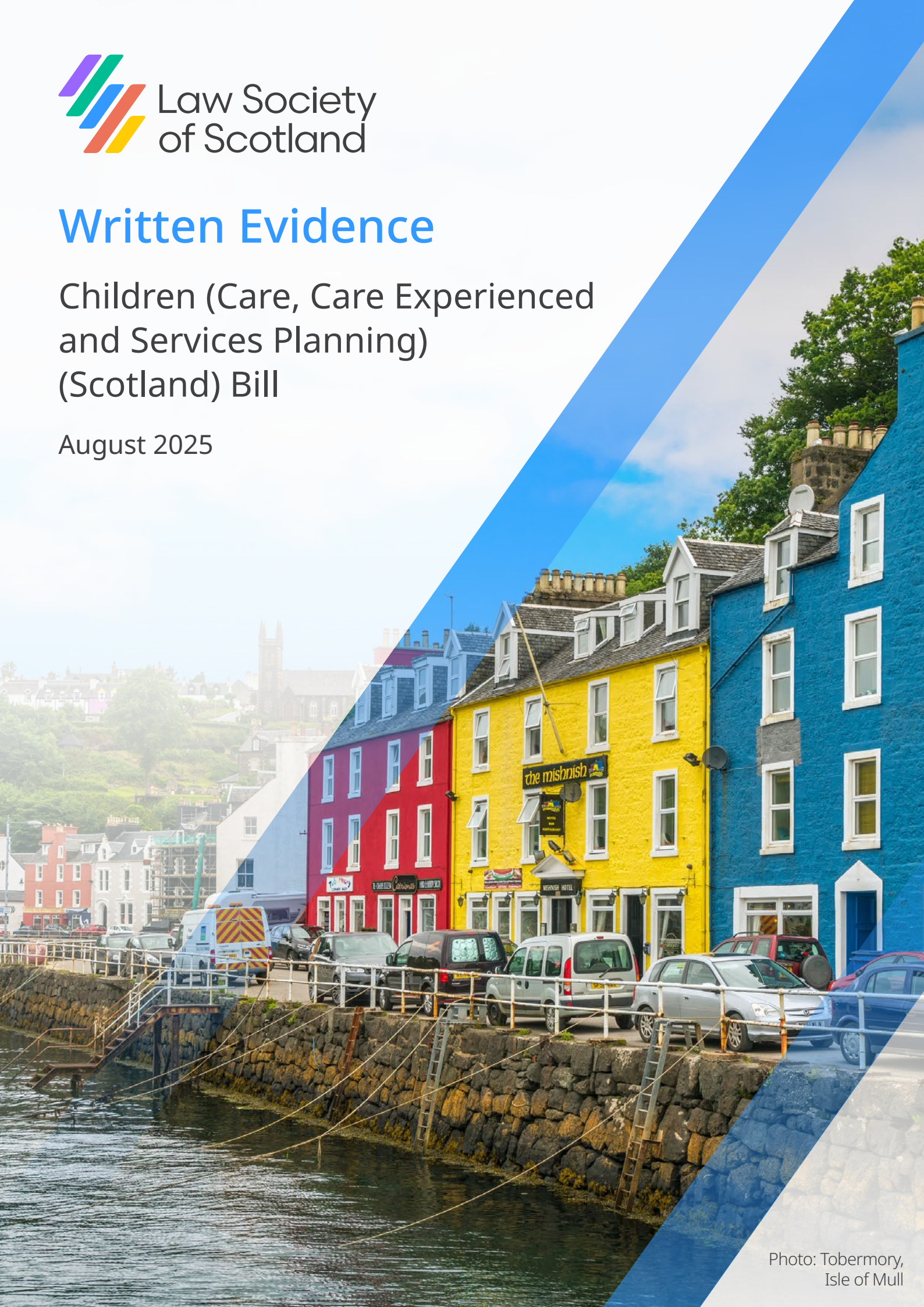
Law Society of Scotland

Written Evidence

Children (Care, Care Experienced and Services Planning) (Scotland) Bill

August 2025



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Introduction

The Law Society of Scotland is the professional body for over 13,000 Scottish solicitors.

We are a regulator that sets and enforces standards for the solicitor profession which helps people in need and supports business in Scotland, the UK and overseas. We support solicitors and drive change to ensure Scotland has a strong, successful and diverse legal profession. We represent our members and wider society when speaking out on human rights and the rule of law. We also seek to influence changes to legislation and the operation of our justice system as part of our work towards a fairer and more just society.

Our Child & Family Law sub-committee welcomes the opportunity to provide evidence to the Scottish Parliament's Education, Children and Young People Committee on the Children (Care, Care Experience and Service Planning) (Scotland) Bill, ('the Bill').

The sub-committee has the following comments to put forward for consideration. Our comments focus on Chapter 3: Children's Hearings, although there are brief comments on the rest of the Bill.

We repeat some of the concerns raised in our *Response to the Children's Hearings Redesign - Policy Proposals: Consultation*[1], in October 2024. Our comments on the Bill include:

- There remains a need for a coherent approach regarding Scots law for children, including clarity on the disparities in the definition of the 'age' of a child, and determining issues of 'capacity' across all sectors and services. This is especially relevant to protection of the holistic rights of 16- and 17-year-old children, and care experienced adults, in the care, civil and criminal justice, education and mental health systems.
- Clarity is required on the effects of drafting some of the provisions as amendments to pre-devolution legislation, which will therefore fall outwith the scope of the UNCRC (Incorporation)(Scotland) Act 2024 ('the UNCRC Act').
- Delays in implementation, and the bringing into force, of existing, related provisions have the knock-on effect of overly complicating the law and restricting children's and care experienced people's access to justice and effective remedies.
- Further consideration is required to ensure that the reforms not only meet international human rights law and standards, but on a practical level that sufficient safeguards and resources are in place to implement the reforms. Important omissions include failing to provide a legally qualified chair in the Children's Hearings System (CHS). The proposals do not ensure that all

children and care experienced adults have access to independent legal advice and representation. This is especially important where consideration is being given to removing requirement for a child's attendance.

- The approach in the Bill is piecemeal, exacerbating existing uncertainty and complexity across the child and family law landscape. Consideration ought be given, in the first instance, to further consolidation and codification of child law in Scotland.

Part 1 Chapter 1

1. What are your views on the aftercare provisions set out in the Bill?

We support the aims of the provisions relating to aftercare in the Bill and suggest amendments below to improve the provisions. We emphasise that the principle of support will only be realised if the system is resourced effectively and question whether the financial consequences have been underestimated in the Financial Memorandum.

Subject to our comments in answer to Question 10, below, we agree that an amendment could entitle a wider group of people to rights to aftercare, including those who were not 'looked after' on their 16th birthday. We note that no consideration has been given to the following groups of care experienced children and young people, who may be entirely unaware of their status and rights as a care experienced person:

- Those who have been adopted, many of whom have been involved in the care system.
- Children subject to voluntary measures of supervision and support (under section 25 of the Children (Scotland) Act 1995), and those who are looked after 'at home'.
- Children from outside the Scottish jurisdiction, who have been placed in residential care homes, secure accommodation, mental health or detention facilities, whilst under an English Care Order, or under the inherent Jurisdiction of the High Court and subject to the Deprivation of Liberty Orders[2].

There is a chance these groups of children and young people, could fall through the gaps in rights protections in the new provisions. The Scottish Government has been aware of these issues for some time and, whilst there has been some progress in improving the law and policy, there has been significant delay in remedying the disparity in practice.

2. What are your views on the corporate parenting provisions set out in the Bill?

We agree with the provisions in the Bill regarding corporate parenting.

However, we have concerns regarding the legal status and accountability mechanisms of Integration Joint Boards. We are also concerned that this uncertainty could prevent children and young people's being able to seek effective remedy and redress for any breaches of statutory duties by individual public authorities and/or the Integration Joint Board.

Clarity is also needed on whether the provisions will apply to groups of children, and young people, as noted above, who may fall outwith the corporate parenting duties under the Children and Young People (Scotland) Act 2014.

3. What are your views on the advocacy proposals set out in the Bill?

These proposals are supported and, again, the importance of adequate resourcing will be crucial to their success.

However, we are concerned that providing a statutory advocacy service is only one component in fulfilling access to justice.

The UN Committee on the Rights of the Child[3] has been clear that in order to satisfy a State's obligations, (and as we have previously suggested), advocacy services are not enough on their own, and the priority must be that every child, who is the subject of State intervention, has the right to access to justice and independent legal advice and representation with information on their rights for all children who are the subject of State intervention.

We emphasise the need to ensure that there are no unreasonable delays in bringing the advocacy proposals into force. We note, and as highlighted below, the section 122 provisions in the Children's Hearings (Scotland) Act 2011 relating to advocacy took over 9 years to come into force.

Other rights-based provisions across the Children (Scotland) Act 1995, Children (Scotland) Act 2020, Domestic Abuse Protection (Scotland) Act 2021; and the Children (Care and Justice) (Scotland) Act 2024, are not yet in force. We note that this issue of, 'Non-implementation of Acts of the Scottish Parliament' is currently being considered by the EHRCJ Committee, of the Scottish Parliament.[4]

We would question the resourcing to fulfill the provisions set out in the Bill.

What are your views on the proposals for guidance in relation to care experience?

We agree with the proposals for guidance in relation to care experience.

Chapter 2

5. What are your views on proposals designed to limit profits for children's residential care services?

While providers will only provide a service if they are able to make a profit, the scope for them to do so should be limited, and we would agree in principle that the proposals to limit profits for children's residential care services are sensible.

We are aware of the significant concerns raised in England and Wales regarding profiteering in children's and adults' social care.

We note that Scottish, secure accommodation providers are currently managed under charity law, and secure care is currently under review, and the publication of the CYCJ Report, 'Reimagining Secure Care'[5].

The concerns raised around the management and accountability of privately funded children's homes is a central issue raised in the Promise, concluding, "*that there is no place for profiting in how Scotland cares for its children and that Scotland must avoid the monetisation of the care of children and prevent the marketisation of care by 2030.*"

However, we note that the Scottish Government is consulting further on this matter.[6] This consultation closes on 6 October 2025.

It therefore concerns us that inclusion of the provisions in this Bill is premature, pending the outcomes and any recommendations made within related reviews and consultations.

6. What are your views on proposals to require fostering services to be charities?

For the reasons set out in the *Policy Memorandum*[7] accompanying the Bill, paras 111-113, this amendment seems desirable. Irrespective of whether fostering services are required to have charitable status or are private businesses, they will ordinarily be fulfilling public authority functions, and will require to act compatibly with human rights law[8].

We note that the provisions are amendments to pre-devolution legislation and refer to our comments in our answers to question 1 and 10.

7. What are your views on proposals to maintain a register of foster carers?

We would agree that the case for introducing a register of foster carers made within the policy memorandum[9] is welcomed.

Clarity is needed on whether the Scottish Government will be required to monitor support and regulate foster carers with training and guidance on compliance with their statutory and human rights duties.

Chapter 3

8. What are your views on the proposed changes to the Children's Hearings system?

While some of the proposed changes are to be welcomed, others have the possibility of undermining the whole ethos of the established and respected children's hearings system (CHS) which is generally regarded as an alternative, quasi-judicial, welfare based system, and is seen as doing a reasonably good job in protecting children and addressing youth justice concerns.

Furthermore, rather than providing a comprehensive revision of the CHS, these reforms do an incomplete job.

For example, the fundamental question of whether there should be a legally-qualified chair is not addressed sufficiently here, in previous reviews.

We would suggest the modern iteration of the Kilbrandon ethos, against a background of the developments in human rights and equality laws over the past 50 years, the system must meet all the requirements of a judicial, decision-making body, with a sufficiently legally qualified chair sitting with lay panel members or panel members with specific sector experience.

The CHS has undergone a radical change recently with the extension of its jurisdiction to 16 and 17 year-olds[10] and notwithstanding the unsatisfactory delays in bringing into force some of the critical provisions, it will take time for that to be accommodated.

Rather than amending the system now and returning to difficult issues later (or not at all), it would be better to wait and legislate comprehensively in order to avoid inconsistency and confusion.

s.11 Single member children's hearings and pre-hearing panels

We suggest that this issue provides an example of why it is necessary to address whether there should be legally qualified chairs in the CHS.

Ordinary and chairing panel members

The proposal to embed the distinction between ordinary and chairing members and for individuals to be appointed as such seems sensible. It may be argued that the proposal undermines the ethos of decisions being taken by a group of equals, however, panel members bring different skills to the process.

We would question the provisions relating to "specialist members". They receive brief mention in Sheriff Mackie's Report[11] and the consultation on it gives the examples of people with "particular qualification or expertise in childhood

development, adverse childhood experiences, ('ACEs'), or ... a professional with prior experience of working with children in some other capacity."[12]

This is where Kilbrandon ethos really could be undermined as lay members of the community are by their very nature specialists in their own communities, and a hugely disparate group of individuals. The selection and appointment of 'specialists' is so arbitrary and we have concerns that this may bring major employment law and equality issues arising as entirely unintended consequences.

Again, a legal chair and two lay panel members seems by far the best solution.

Fundamental to the CHS, as envisaged by Kilbrandon, was the idea of lay people making decisions on disposals. The system has moved on and panel members now receive extensive training so they can be expected to have some understanding of child development, ACEs, etc.

A further point is worth noting in respect of "specialists". Experts on the psychosocial (and, to a lesser extent, neurological) development of children may differ quite profoundly in their views.

Differing expert views are accommodated in the court setting by each side being permitted to call their own expert. If a single specialist is having an input at a hearing, there is no opportunity for anyone to challenge the specialist's view and, indeed, the child and the family may not be aware that there are different expert views. Their legal representative might have that knowledge but, even then, there does not seem to be an opportunity to challenge.

It may be that such specialist members have a place in a modernised CHS, but there is no escaping the emergence of a hierarchy of lay panel members and that would only be exacerbated if some are paid while others are not.

Single member hearings

The use of single member hearings makes some sense in respect of decisions that are wholly administrative in nature, but all substantive decisions should be the province of three-member panels. Drawing the line between what is administrative and what is substantive may give rise to debate. For example, the Bill envisages the making or extending of an interim compulsory supervision order (s.11(13) of the Bill amending s.96 of the 2011 Act) and the making of an interim variation to a compulsory supervision order (s.14(18) of the Bill inserting new s.95A(2) to be suitable for a single member hearing. Bearing in mind that such decisions could involve deprivation of liberty,[13] it is arguable that they are substantive decisions and, as such, appropriate only for a three-member panel.

Having a legally qualified chair would be helpful in identifying what is purely administrative and what is substantive.

Consistency of membership

The National Convenor is required to "have regard to the desirability" of consistency of membership in respect of the composition of a three-member panel considering a case previously considered by a single member panel (s.11(5) of the Bill inserting a new (4B) into s.6 of the 2011 Act). That is fairly bland and, as such, seems unobjectionable.

We would question whether this is necessary and is something that if only a due regard duty could be included in Guidance rather than on the face of the Bill. The risk is that children and parents will not have recourse to a remedy should they object to the Principal Reporter's view on desirability or otherwise. This could create more conflict rather than more efficiency.

s.12 Remuneration of Children's Panel members

We would again suggest the model of a paid, legally qualified chair and ordinary panel members who receive expenses only. That is in line with how other tribunals operate and it can be anticipated that there would be real difficulty in recruiting legally qualified individuals to take on chairing in the absence of payment. However, there is no escaping the fact that drawing such a distinction would reinforce the notion of a hierarchy of panel members.

s.13 Child's attendance at children's hearings and hearings before sheriff

[*The concerns discussed below in respect of children's hearings apply to the proposed amendments to the child's obligation to attend hearings before the sheriff under s.103 of the 2011 Act.]*

The reform proposed here is cause for considerable concern. It would remove the obligation on the child to attend his or her own hearing, effectively reversing the presumption that the child will be there.

Since the creation of the CHS, the child concerned has been at the heart of the CHS and the child's participation has been central to the process. That is reflected in the 2011 Act, s.73 which places the child under a duty to attend his or her own hearing, subject to the power of the hearing to excuse the child is certain circumstances. The circumstances in which the child's attendance may be excused cover the obvious practical situations (child being incapable of understanding what is happening) and those where there is a welfare concern (placing the child's physical, mental or moral welfare at risk). It is essential that this decision to excuse takes proper account of the child's rights and views. The system must stop making presumptions as to welfare wellbeing and best interests and even if a Panel determines nonattendance is in best interests, the child must be given the opportunity to attend and be supported throughout to mitigate risks. They should also be given opportunity to change their minds and as above should

have full opportunities to seek legal advice before giving their views or seeking to participate in whatever creative way is best for them.

The hearings should be striving for every child to be 'in the room' (in whatever capacity) and central to the decision-making they should be 'child-friendly' and certainly not permitted to be a place the child will not feel safe. The downside of the current system is that children are excused by default and rarely with any meaningful engagement to ascertain they understand their rights or can be helped and facilitated to express views on all matters that affect them.

Removing that obligation, as is proposed in s.13 of this Bill, undermines the child's rights under the European Convention on Human Rights (ECHR), articles. 6 and 8 and, as such, is open to challenge. It also runs counter to the whole import of one of the general principles of the United Nations Convention on the Rights of the Child (UNCRC), article. 12, guaranteeing the child's participation rights.

It might be argued that removing the obligation to attend does not deprive the child of anything since he or she retains the right to attend under s.78(1)(a) and may choose to do so.

However, that ignores all the evidence, some of relatively recent origin, on the psychosocial and neurological development of young people.[14] There is a chance that a young person may make the decision not to attend based on what he or she sees as a short-term benefit (e.g. avoiding something unfamiliar or daunting) rather than considering the longer-term benefits (e.g. understanding the whole picture and having an input into the decision).

This is particularly true where early decisions are taken to excuse and then the uncertainty and 'scary' or 'boring' image of hearings and courts sticks with the child. The evidence also suggests that when people of any age are enabled to participate in early decision-making where they are respected and listened to their sense of procedural and process justice is much greater.

For children accused of a crime, or even more so "harmful behaviours" or where they are being moved to an alternative care, or to have restrictions on contact, they must be given accurate information advice and support about the long-term consequences as well as of their human rights in statutory proceedings and not attending etc. The requirement to attend (with limited exceptions) is pivotal to ensuring the system is rights-respecting.

To some extent, this disempowering of children and young people would be offset by them having legal representation from the outset, who could advise on the importance and benefits of attending. While not the same thing, the reform proposed in s.18 of the Bill (discussed below) in relation to providing the child with information about the children's advocacy service may also be of assistance.

A further point is worth considering. While it would be open to a pre-hearing panel to require the child to attend (s.13(5) of the Bill, amending s.79(3)(a) of the 2011 Act), that does not guarantee that all children referred on an offence ground would be so required. There is the danger that publicity surrounding non-attendance of an accused, particularly by an older young person, would discredit the system in the youth justice context.

s.14 Role of Principal Reporter and grounds hearing

The reform proposed in s.14(5) has, on the face of it, the benefit of streamlining the process and removing the need for grounds hearings that serve no real purpose. It looks comprehensive.

We have concerns over what will come before decision is made, and how the Reporter will determine the likelihood of the child and the relevant persons accepting the grounds. The Bill does not appear to address that. Would the family meet with the Reporter to clarify matters? The practical implications could be significant. The role of the Reporter is as the assessor of sufficiency of evidence, and decision-maker as to whether compulsory measures of intervention, are required in the first place. These are evidence-based decisions that ought to now include consideration of the UNCRC requirements, under the UNCRC Act. We have further concerns that in practice, the Reporter will not fully consider the views of the child independently, nor be able to make a 'best interests' assessment without significantly more investigation than happens at present (for example, from a social work, police, or education referral).

Again, any administrative changes that streamline processes are to be welcomed. But this decision-making by a Reporter is the critical decision that constitutes an interference by the State.

From the parents' and children's' perspectives, they should be notified by the Reporter that they have received a referral, and what their initial decision is.

We note Grounds Hearings can often have no substantive outcome and can be very formal and stressful for all concerned. However, this is another situation where if children and parents are given the opportunity to participate in the Reporter's decision-making, at least by expressing their views, after having an opportunity to obtain independent, legal advice, then a formal acceptance or non-acceptance could be intimated to the Reporter. The Reporter would thereafter decide whether to proceed to Proof. However, a further issue is that even at a Grounds Hearing, the Panel members must consider whether any *interim* measures are required - such as appointment of a Safeguarder, or interim contact arrangements - and it is these decisions that can be very difficult to manage in terms of ensuring fairness and balancing rights.

Again, having a legally qualified Chair would mean that the process could be streamlined.

The Scottish Government's consultation on the Children's Hearings Redesign[15] anticipated the family meeting with the Reporter would replace decision-making by the Panel Members, and we expressed concern that any such meeting raises a red flag over compliance with the ECHR, article 6.

That concern would be reduced if both the parents and the child were afforded legal advice and assistance and could be legally represented from the outset: but that is unlikely to happen in all cases. The danger is that families will agree to section 67 Grounds, without truly understanding that they are opening the door to what could be profound intervention in their lives. That may be no worse than what happens at present, but the goal of the Bill is to improve the law.

Of course, Reporters will be seeking what is best for the child and will not want to put the family under any pressure. Yet, the law should not be drafted on the assumption that everyone will behave as they should. It must be there to protect individuals from (well-intentioned), over-zealous, State intervention.

s.15 Power to exclude persons from children's hearings

To the extent that the point of excluding a Relevant Person is to enable the child's participation in the hearing and avoid distress to the child, this proposed reform is welcomed. However, there must be adequate safeguards for the protection of a Relevant Person's rights, such as being given the opportunity to make representations after obtaining legal advice; and for the power to be used only in the most exceptional circumstances.

Having a legally qualified Chair would provide an additional safeguard.

s.16 Removal of relevant person status

This provision is welcomed. We note the Judgment in the case of A v Principal Reporter [2025] CSIH 9; 2025 S.L.T. 537, where, in the exceptional circumstances of the case, the Inner House of the Court of Session *held* that a Children's Hearing had not erred in excluding the child's father to protect the ECHR article 8 rights of the child and their mother, and had not acted unlawfully by determining the father was not a relevant person.

We suggest that the use of this power to remove relevant person status should be closely monitored to ensure that it is used appropriately, in compliance with the child's and relevant person's' human rights. Having a legally qualified Chair would provide an additional safeguard.

s.17 Tests for referral to Principal Reporter and making of compulsory supervision order or interim compulsory supervision order

Sections 17(2)-(5) risk altering the thresholds for referral to the Principal Reporter and weaken the local authority and Police Scotland duties to report, and as such are undesirable.

s.18 Information about referral, availability of children's advocacy services etc.

This can only improve the provision of information to the child and, as such, is welcomed. However, as indicated in our response to Question 3, we have reservations on lay advocacy alone, and stress that, in order to be human rights compliant the child must also have access to independent legal advice.

To ensure rights compliance, across the system, every child should also be told of their right to access information and assistance from a free and independent solicitor.

It is important that as we have previously commented, there is no unreasonable delay in the bringing these rights into force and for adequate funding in implementation.

s.19 Period for which interim compulsory supervision order or interim variation of compulsory supervision order has effect

No comments.

s.20 Making of further interim compulsory supervision orders

No comments.

s.21 Principal Reporter's power to initiate review of compulsory supervision order

Where new information becomes available, it is desirable that it should be acted upon and, thus, this provision is welcomed.

Part 2

9. What are your views on the proposed changes to Children's Services Planning set out in section 22 of the Bill

Clarity is needed on how children and families have the right to effective remedy for breaches of duties by integrated boards where they are made up of individual pubic authorities.

Other

10. Are there any other comments you would like to make in relation to this Bill?

We were surprised by the approach taken in the drafting of this Bill, given the concerns raised about the limitations in scope of the UNCRC Act 2024. Scottish Government gave a commitment in 2023, to ensuring that, '*...as much future legislation as possible is in scope for the powers in the UNCRC Bill... try to minimise making amendments to UK Acts and instead make relevant provisions in standalone Acts of the Scottish Parliament."*[16]

We note however, that certain provisions[17] are drafted as amendments to Westminster legislation, rather than as standalone rights. These provisions fall outwith the scope of the United Nations Convention on the Rights of the Child (Incorporation)(Scotland) Act 2024.

Without whole-scale review of the priority areas requiring reform, introducing new, piecemeal changes, whether by amendment or by new standalone provisions, exacerbates the existing legal issues.

We suggest that these important concerns require further consideration as the Policy Memorandum and Children's Rights and Wellbeing Impact Assessment fail to address many of the issues. Robust human rights impact assessments should be undertaken. A review of legislative gaps (and constitutional 'scope' issues) should be undertaken to inform a human-rights based, consistent approach to all legislative reforms. Further assessment of the financial implications should be undertaken to ensure reforms are adequately resourced in practice.

We further suggest that in the context of implementing the Promise, and the Children's Hearings Redesign recommendations, and ensuring that law reform is effective and meaningful in realising human rights, that serious consideration must be given to codification of child law in Scotland.[18]

Finally, we would further highlight that failure and, or unreasonable delay, to bring previous statutes into force has created uncertainty and complexity for children and families and across children's services.

Examples abound of statutory provisions being passed by the Scottish Parliament only to languish unimplemented for years. Of particular relevance to this Bill under

discussion, is both the proposed provisions giving advocacy rights to children and young people, under the Children (Scotland) Act 2020, and the Children's Hearings (Scotland) Act 2011, s.122, which was not brought into force for over 9 years.[19].

As we outlined in our answer to Question 3, this issue is currently under consultation in the Scottish Parliament, and it is therefore considered premature to be proceeding with these reforms, without taking into account the wider consultation responses.

In any event, even if the provisions were enacted, there are clear concerns, as history has shown that there would be inordinate delays in bringing the rights and duties into force. In order to avoid that happening in the event that this Bill passes, we would suggest s.25(2) should be replaced with a provision along the following lines:

> "The other provisions of this Act come into force—
>
> (a) at the end of a period of 6 months beginning with the day of Royal Assent,
>
> (b) on such earlier day as the Scottish Ministers may by regulations appoint.

[1] Law Society of Scotland, *Response to the Children's Hearings Redesign- Policy Proposals: Consultation*

[2] Under the The Cross-border Placements (Effect of Deprivation of Liberty Orders) (Scotland) Regulations 2022

[3] For example, United Nations Committee on the Rights of the Child Concluding observations on the combined sixth and seventh periodic reports of the United Kingdom of Great Britain and Northern Ireland* 22 June 2023

*in 2023, para 17(c), and in consideration of draft UN CRC General Comment 27 on Children's Rights to Access to Justice and an Effective Remedy.

[4] Non-implementation of Acts of the Scottish Parliament

[5] CYCJ Report, 'Reimagining Secure Care'

[6] Scottish Government, *Financial Transparency and Profit Limitation in Children's Residential Care: Consultation* (Edinburgh: Scottish Government, 2025).

[7] Policy Memorandum accessible

[8]As outlined in the UN Committee on the Rights of the Child: General comment No. 16 (2013) on State obligations regarding the impact of the business sector on children's rights* CRC/C/GC/16

[9] Policy Memorandum accessible, paras 120-132

[10] Children's Hearings (Scotland) Act 2011, s.199(1), as amended by the Children (Care and Justice) (Scotland) Act 2024, s1(2)(a)(i).

[11] *Hearings for Children: Hearings System Working Group's Redesign Report* (Edinburgh: The Promise, 2023), p.299 ("The potential value of specialist Panels or Panel Members with specialist training should be considered.")

[12] Scottish Government, *Children's Hearings Redesign Public Consultation on Policy Proposals* (Edinburgh: Scottish Government, 2024), p.42.

[13] On deprivation of liberty, see, *Blokhin v Russia*, App. No. 47152/06, Grand Chamber judgment of 23 March 2016, where a 12 year-old was detained for 30 days to "correct his behaviour" and prevent him committing further acts of delinquency. Violation of Art.5(1) of the ECHR, as well as of Art.3 (denial of necessary medical treatment) and Art.6(1) and (3)(c) and (d).

[14] See, United Nations Committee on the Rights of the Child, *General Comment No. 24 on Children's Rights in the Child Justice System*, CRC/C/GC/24, 2019, for an overview. At para.22, the CRC Committee noted the "evidence in the fields of

child development and neuroscience" indicating "that maturity and the capacity for abstract reasoning is still evolving in children aged 12 to 13 years due to the fact that their frontal cortex is still developing."

[15] Children's hearings redesign - policy proposals: consultation - gov.scot

[16] Equality and Human Rights and Civil Justice Committee: Response from the Cabinet Secretary for Social Justice – 28 November 2023.

[17] Sections 1 (re aftercare), and Section 10 (re Register of foster carers), amend the Children(Scotland) Act 1995

[18] Elaine E Sutherland, "How to Increase the impact of the UNCRC Act": Scottish Legal News, 25 January 2024: https://www.scottishlegal.com/articles/elaine-e-sutherland-how-to-increase-the-impact-of-the-uncrc-incorporation-scotland-act-2024

[19] Children's Hearings (Scotland) Act 2011 (Children's Advocacy Services) Regulations 2020, SSI 2020/370.

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