

Rights of the Child UK (ROCK)

For the incorporation of the United Nations Convention on the Rights of the Child into UK law

Making the UN Convention on the Rights of the Child part of UK domestic law

'Our country's future lies with the hopes, dreams and potential of our children.'

Gordon Brown, 2001¹

Who are we and what is our aim?

Rights of the Child UK (ROCK) is a UK-wide coalition of organisations and individuals which seeks the incorporation of the United Nations Convention on the Rights of the Child (CRC) into UK law. Our members include Unicef UK, Save the Children UK, NCB and the NSPCC (full list overleaf).

Why now?

This year marks the 20th anniversary of the United Nations' adoption of the Convention. Eighteen years have passed since its ratification by the UK. There has been progress in some areas – for example, children in some settings are now more likely to be consulted. However, we continue to be severely criticised by international human rights bodies for our treatment of children, particularly the most vulnerable. Two children a week are homicide victims, suggesting that some of the most fundamental rights are still not fully protected. This is a responsibility we all share.

All three main parties are talking about Bills of Rights, and debating the next step for human rights in the UK. The huge inequalities in UK society are another major concern which all parties must seek to address, and which have a particularly devastating impact on children and young people. The Human Rights Act offers vital protection for children and must be preserved. We believe the natural next step to progress human rights further and address inequality must be to make the full range of children's rights accessible to all children regardless of their circumstances. Now is therefore the time seriously to debate the incorporation of the CRC into UK law.

Children's Rights Bill

We are working with Baroness Joan Walmsley, who plans to introduce a Private Members Bill on 19 November 2009, the day before the Convention's 20th anniversary. The Bill would incorporate the Convention into UK law, using a similar model to the Human Rights Act which made the European Convention on Human Rights part of domestic law.

We hope that the introduction of the Bill will help to raise public, professional and political awareness of the benefits that would result from better legal protection of children's rights in the UK. We hope to increase understanding of CRC incorporation, which we believe would be the best way to ensure children's rights are fully recognised and protected.

'...a landmark for children...'

Virginia Bottomley MP

Former Secretary of State for Health, on the ratification of the
UN Convention on the Rights of the Child

Making children's rights real

The UN Convention on the Rights of the Child was drafted over many years and represents near universal consensus about the rights protection that children need. It offers a complete framework for the protection of children's rights by nation states. These rights for children do not

¹ Comment made by Gordon Brown in his capacity as Chancellor of the Exchequer.

exist in isolation from those of their parents and families, since the right to family life is an important Convention right. Article 4 of the Convention requires Governments to “*undertake all appropriate legislative, administrative and other measures*”² to implement it. However, we know that this only happens on a piecemeal and patchy basis in the UK, with uneven application for children in different circumstances and settings. The UN Committee on the Rights of Child recommended in 2002 and 2008 that the UK should incorporate the Convention into domestic law in order to improve its implementation.

The UK courts already take account of the CRC when interpreting children’s rights. Incorporation of the Convention would therefore be a natural progression for the development of our domestic law. However, lack of awareness means that the courts do not take account of the Convention as much as they should. The UK has benefited greatly from incorporating the ECHR into domestic law. Since the passage of the Human Rights Act, the UK has been taken to the European Court of Human Rights much less often than before, as we are now able to address any violations in our own courts.

Children are among the most vulnerable members of our society, which means we have an even greater obligation to protect and support them. The Human Rights Act offers vital protection for children and must be preserved. However, we can and should do more. The CRC is children’s ‘Magna Carta’, recognising their unique status and needs, and – operating alongside the Human Rights Act – would offer much more comprehensive protection.

‘It is not enough to sign up, it is all about implementation.’

Annette Brooke MP, Shadow Minister (Children, Young People and Families) (June 2008)³

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Rights of the Child UK (Rock) is a UK-wide coalition of organisations and individuals seeking the incorporation of the United Nations Convention on the Rights of the Child into UK law.

Our member organisations are: Article 12 in Scotland, the British Humanist Association, the Centre for Studies on Inclusive Education, the Children’s Rights Alliance for England (CRAE), the Child Rights Information Network (CRIN), the Fatherhood Institute, the National Youth Advocacy Service, the National Youth Agency, NCB, the National Society for the Prevention of Cruelty to Children (NSPCC), Scope, Save the Children UK, the Scottish Alliance for Children’s Rights, Sefton Voices and Unicef UK. A list of individual coalition members is available upon request.

The contents of this document do not necessarily reflect the views of all members.

For more information, contact Katy Swaine, legal director for the Children’s Rights Alliance for England and chair of the ROCK coalition; tel - 020 7278 8222 ext. 30; email – kswaine@crae.org.uk; or visit our web page: <http://www.crae.org.uk/protecting/uk-law.html>

² Article 4, UN Convention on the Rights of the Child

³ During the debate on the Children and Young Persons Bill, 25 June 2008: Hansard Column 37.