



Public Service Reform Committee, Scottish Parliament

Call for views: public service reform, pre-budget scrutiny 2027-28

CYCJ response

August 2026

Collaborating for rights-respecting justice
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Overview

The Children and Young People's Centre for Justice (CYCJ) very much welcomes the opportunity to respond to the call for views on the pre-budget scrutiny process. As well as providing this submission to the Scottish Parliament's Public Service Reform Committee, we also responded to the call for views from the Finance and Public Administration Committee, and we recommend that the submissions are read together.

Across both consultations, we only provided answers to the questions which were directly relevant to our work. We believe the Public Service Reform and connected budget process provides both an opportunity and a challenge to advancing a more preventative, rights-based, trauma-informed approach for children and young people in conflict with the law in Scotland. We welcome the focus on tackling child poverty, and a more preventative and joined up approach. However, we find the lack of a rights-based approach to be a significant omission to the framing of this approach and believe greater work in the budget process is needed to evidence and encourage preventative rights-based budgeting decisions. Our response draws from our practice knowledge, research evidence, policy understanding and participation work. For more information on the call for views, click [here](#)

Call for views

How should the Scottish Government best present the extent of any realised efficiencies in the annual budget publication, including providing clarity on whether these are expected to be recurring savings?

The annual budget publication, as with the wider budget setting process, must have children's rights at its centre. The incorporation into Scot's law of the United Nations Convention on the Rights of the Child (UNCRC) in 2024 means that Scottish public authorities must now not act incompatibly with the UNCRC, as set out in the act. Any realised efficiencies, including if they are to be recurring savings, must be contextualised in terms of their impact on children's rights. This requires detailed Child Rights and Wellbeing Impact Assessments (CRWIA), building on the learning from both the Scottish Human Rights Commission's (SHRC) review in 2025 and Together Scotland's analysis in 2026. SHRC identified the need for independent monitoring and avoiding the minimisation of the impact of decisions on children's rights. The Together review highlighted areas of good practice, alongside several key recommendations including ensuring that CRWIAs consider the scope the UNCRC Act to any proposals, that the process is started sufficiently early enough, and that disaggregated data is provided, showing that different cohorts of children may be impacted differently.

On a wider point related to the further embedding of UNCRC into public service reform and spending decisions, we would urge the Scottish Government to incorporate child rights-

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based budgeting within its budgeting process. The UNCRC General Comment 19 (2016) provides detailed guidance on how public budgets can advance children's rights and the UNCRC Concluding observations on the UK (2023) recommended the incorporation of a child rights- based approach into the state budgeting process for all its jurisdictions, including Scotland. Since the 2024 UNCRC Incorporation Act, there has been some very good progress made around UNCRC in Scotland, and the actions set out in the Child Rights Scheme indicate a positive direction of travel. However, there are clear areas of improvement for Scotland around child rights-based budgeting, in particular around the current lack of participation of children, alongside challenges around the transparency of the whole process. The SHRC raised these two, amongst other, concerns regarding the 2025-26 budget setting process and it appears to us that the 2026-27 process did little to advance this. We support the SHRC recommendations for participation to be improved through a more structured and inclusive process, alongside a wider range of methods of gathering input, alongside the adoption of international best practice around the pre-budget process.

“Prevention” is one of three pillars providing structure to the Strategy. What progress has been made to date with preventative budgeting?

Prevention as a concept has long been in use in Scottish public policy, and was a key part of the Christie Commission's findings in 2011. A preventative approach has been used for many parts of Scotland's response to children and young people when they come into conflict with the law and the Whole System Approach has delivered notable success. However, it is unclear how much this has been accompanied by any use of the budgetary process to track and enable prevention. As discussed in our next answer, we welcome the nascent preventative budgeting tool, but stress that a crucial element to its success or otherwise will be the degree in which it can help generate greater transparency and accountability as to budgetary decisions around prevention, alongside increased meaningful participation of children and young people.

How should the forthcoming Budget support greater progress towards preventative budgeting across the devolved public sector? Please set out any barriers and how these can be addressed.

The use of a preventative budgeting tool at both local and national level in Scotland has significant potential to help increase wider public understanding of prevention and to drive forward a shift towards a more preventative approach. Given the degree of subjectivity to the tool, as identified by the Scottish Government's Prevention Unit, we would ask that as this develops, the Scottish Government works with the Auditor General and the Accounts Commission to ensure independent analysis where possible.

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A key element of the conception of prevention put forward by the Christie Commission (2011) was ensuring meaningful participation. As mentioned in response to question two, the Scottish Human Rights Commission identified there was a real lack of structured and inclusive participation for the 2025-26 budgeting process (SHRC, 2025) and we have not seen any evidence that this was improved upon for the previous budget. A great opportunity for this would be for the Scottish Government to embed child rights-based budgeting into the budgetary process, in line with the UN Committee on the Rights of the Child recommendations. As noted previously, we also recommend that the process for Child Rights and Wellbeing Impact Assessments are enhanced, taking on board the findings of both the Scottish Human Rights Commission (2025) and Together Scotland (2026).

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References

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