CHILDREN'S RIGHTS IN SCOTLAND

3RD EDITION

By

Alison Cleland
Senior Lecturer
Faculty of Law
University of Auckland, New Zealand

Elaine E. Sutherland
Professor of Child and Family Law
The Law School, University of Stirling
Scotland
and
Professor of Law
Lewis & Clark Law School
Portland, Oregon
## CONTENTS

<table>
<thead>
<tr>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Foreword</td>
</tr>
<tr>
<td>Preface to Third Edition</td>
</tr>
<tr>
<td>Preface to Second Edition</td>
</tr>
<tr>
<td>Preface to First Edition</td>
</tr>
<tr>
<td>About the Contributors</td>
</tr>
<tr>
<td>Table of Cases</td>
</tr>
<tr>
<td>Table of Westminster Statutes</td>
</tr>
<tr>
<td>Table of Scottish Parliament Statutes</td>
</tr>
<tr>
<td>Table of Westminster Statutory Instruments</td>
</tr>
<tr>
<td>Table of Scottish Parliament Statutory Instruments</td>
</tr>
<tr>
<td>Table of International Instruments</td>
</tr>
</tbody>
</table>

1. **Children's Rights in Scotland—Where are we Now?**
   *Elaine E. Sutherland and Alison Cleland*  
   1

2. **The History and Philosophy of Children's Rights in Scotland**
   *Kathleen Marshall*  
   23

3. **International Standards and Scots Law**
   *John P. Grant and Elaine E. Sutherland*  
   40

4. **Equal Opportunities for Children? Anti-Discrimination Law in Great Britain**
   *Kay Tisdall*  
   62

5. **Care of the Child within the Family**
   *Elaine E. Sutherland*  
   86

6. **Child Abduction**
   *Shona Smith*  
   106

7. **The Child's Right to be Looked After**
   *Kenneth McK. Norrie*  
   119

8. **Adoption**
   *Janys M. Scott*  
   139

9. **Children's Voices in Legal Proceedings**
   *Alison Cleland*  
   160

10. **Medical Treatment**
    *John Blackie with Neil Campbell*  
    186

11. **The Child's Right to Education**
    *Lesley-Anne Barnes*  
    209

12. **Freedom from Sexual Exploitation and Abuse**
    *Alison Cleland*  
    232

13. **The Child and the Media**
    *David Goldberg*  
    254

14. **Immigration, Asylum and the Child**
    *Diego Quiroz-Onate*  
    272
Contents

15. The Child in Conflict with the Law 296
   Elaine E. Sutherland
16. Monitoring and Enforcing Children's International Human Rights 320
   John P. Grant
Appendix 1: European Convention on Human Rights 341
Appendix 2: Convention of the Rights of the Child 346
Appendix 3: Reservation and Declarations of the United Kingdom to the UN Convention on the Rights of the Child 378

Index 381