

**The Children & Young People's
Commissioner Scotland
is recruiting for the position of:**

Legal Officer (12 month, fixed term)

Full time, 37 hours per week
Grade 4 (£36,298 – £47,244)
99 McDonald Road, Edinburgh, EH7 4NS
(Currently hybrid working between office and home)

The responsibilities and powers of the Children and Young People's Commissioner are set out in the Commissioner for Children and Young People (Scotland) Act 2003. The Commissioner is appointed by the Queen on the recommendation of the Scottish Parliament and is entirely independent of the Scottish Government.



**Applications must be submitted before
13:00 on Friday 24th June 2022.**

**Interviews will take place w/c 6th July 2022
and will be conducted in person.**

**Disabled candidates and candidates with care
experience, who satisfy the essential criteria for
the post, will be invited for interview.***

**Please demonstrate your skills and
experience in a covering letter and
CV to recruitment@cypcs.org.uk**

Website: www.cypcs.org.uk

Facebook: www.facebook.com/cypcs

Twitter: twitter.com/cypcs

Instagram: [@cypcs](https://www.instagram.com/cypcs)



Passionate about children's human rights? Want to use your legal expertise within investigation and litigation to make a real difference to the lives of children and young people? Then we want you to join us to promote and safeguard the rights of children and young people in Scotland.

Role Summary:

The Legal Officer will work in the Commissioner's Advice and Investigations Team, reporting to the Head of Advice and Investigations. You will be responsible for the provision of internal legal advice and the lawful and effective use of the Commissioner's investigative powers, as well as supporting the delivery of the office's advice function. In addition, you will be directly responsible for the analysis and management of a body of legal casework on behalf of the Commissioner.

This role is a unique and pivotal within our office. As a key member of staff, we need you to provide legal advice and support in relation to the exercise of the Commissioner's investigative powers.

The role will allow you to lead on the office's strategic litigation function. We are looking for individuals with the gravitas and professionalism to build the function and make recommendations for future development.

You will have primary responsibility assessment of cases for intervention and other involvement by the Commissioner, drafting submission and legally representing the Commissioner, instructing Counsel, and managing cases.

You will provide legal advice on issues relating to children and young people's rights and will enable effective response to rights issues raised via our advice function. Secondments would be welcomed.





Overview of the Children and Young People's Commissioner Scotland

In 2003 the Scottish Parliament wanted to "make a real difference by creating an independent, high-profile and influential post" of Children and Young People's Commissioner with a responsibility to promote and safeguard the rights of everyone under 18 in Scotland or up to 21 if the young person is in care or has care experience.

Children and young people don't have the same economic or political power as adults.

Adult systems aren't designed around children's needs and when things go wrong it's much harder for them to get justice. They need a champion who is an independent person able to challenge those in power.

The role of Commissioner must do that, whilst bringing together different parts of the political and institutional systems and society in the best interests of the child. As well as being a champion for rights, a key part of the job is to work with people who make decisions that affect children and young people lives so that they deliver on their promises - for example within education, healthcare, housing and justice.

Decision-makers must understand their rights obligations and include and listen effectively to children and young people in order to do their jobs properly.





Who we are

The Commissioner for Children and Young People Scotland is an independent statutory body. The office has a current budget of £1.3 million and a multidisciplinary team of 15 staff based in an office in central Edinburgh but working all across Scotland. We promote and safeguard the human rights of everyone in Scotland up to 18, or up to 21 if the young person has care experience.

Scotland's children and young people have told us that they need fierce champions for their human rights: people who share our values of bravery, independence, leadership, participation, and respect.

You'd be joining the Commissioner, Bruce Adamson, and his hard-working and committed team striving to influence and drive progressive law, policy and practice within children's human rights. We do this by:

- Raising awareness and understanding of children's human rights
- Reviewing law, policy and practice relating to children's human rights
- Promoting best practice by service providers
- Promoting, commissioning, undertaking, and publishing research to promote better implementation of children's human rights

In doing this, the Commissioner must have regard to the United Nations Convention on the Rights of the Child (UNCRC) and act in a way that encourages equal opportunities. We must also encourage the involvement of children and young people in the work of the office and consult relevant organisations working with, and for children and young people, placing a particular emphasis on those who are less likely to be included or listened to, and those whose rights are most at risk.



Why join us?

You'll be valued as an essential part of a busy team, working every day to make an impact in children and young people's lives in Scotland.

You'll also get the chance to work directly with children and young people.

We are a vibrant, multidisciplinary team who pride ourselves on living our values of bravery, respect, participation, independence and leadership. Our work sits at the forefront of children's rights in Scotland.

Our fantastic, recently designed office and new technology, allow us to work flexibly and welcome children from across Scotland. We believe that The Children and Young People's Commissioner Scotland is an amazing place to work.

Not only do we believe we have a friendly and ambitious team which sets us apart and ensures that the work we do is of value to Scotland, we also provide all our employees with a very generous benefits package, rewarding them for the work they do, and ensuring that work-life balance and wellbeing is top priority.

Our employee benefits package includes:

- Competitive salary.
- Generous employer contribution pension of 27%.
- 30 days annual leave plus additional 10.5 observed public holidays.
- Wellbeing initiatives including our 'Healthy Living Allowance' - a financial contribution to a health activity of your choice and our 'Employee Assistance Programme' covering advice and 8 sessions of counselling.
- Flexible working policies allowing you to balance your home and work, including working from home and flexible working hours.
- Competitive maternity and sick leave policies, always ensuring health and wellbeing.



The key strategic issues impacting on the post will be:

- Relevant domestic law including the Commissioner for Children and Young People (Scotland) Act 2003, the Children and Young People (Scotland) Act 2014, and the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Bill.
- International human rights instruments, particularly the United Nations Convention for the Rights of the Child (UNCRC).
- Developments in domestic and international human rights case law.
- The Commissioner's Strategic Plan 2020-24.

Responsibilities:

- Providing specific legal advice and other support in relation to the exercise of the Commissioner's investigative powers.
- Further develop and lead on the office's strategic litigation function including:
 - Assessment of cases for intervention and other involvement by the Commissioner.
 - Drafting submission and legally representing the Commissioner as required
 - Instructing Counsel as appropriate.
 - Management of cases.
- Monitoring relevant case law domestically and internationally, particularly at the European Court of Human Rights.
- Provision (with other team members where appropriate) of proportionate and effective responses to children's rights issues raised via the Advice function.
- Develop and maintain networks at domestic and international level to support the work of the Commissioner.
- Providing legal advice on issues relating to children and young people's rights. This also includes developing, reviewing and advising on law, policy and practice affecting children and young people.
- Work collaboratively with all teams and stakeholders to achieve the Commissioner's strategic objectives.
- Support, develop and mentor more junior colleagues in their work.



- Ensuring the efficient and timely management of an assigned work load.
- Public presentations relating to the work of the Commissioner as required.
- Efficient administration and record keeping in compliance with relevant legislation.

Essential Requirements:

The successful candidate must have:

- A minimum of two years' satisfactory relevant post-qualification experience as a solicitor, advocate, or barrister.
- Experience in a relevant area of law relating to human rights.
- An understanding of how international human rights law impacts domestically.
- Demonstrable experience and understanding of legal process in Scottish courts and tribunals.
- A proven ability to advocate effectively in the courts as required, to write high-quality legal submissions and instructions.
- A proven track record of planning and prioritising legal case work.
- The capacity to undertake high volumes of work and deliver to strict deadlines.
- An excellent capacity to develop, manage and maintain effective working relationships internally and externally.

In addition

- A proven track record of working effectively in teams in a multi-disciplinary environment.
- Sound judgement and good decision-making skills.
- Experience in the use of appropriate technology e.g. electronic case management systems and other IT tools and applications commonly used in a modern legal office.
- A track record of creating presentations and drafting policy and legislative advice.
- Effective communication skills.

- Proven experience of excellent report writing and high standard of general written communication skills.
- Commitment to a rights-based approach to work and in particular to the meaningful participation of children and young people.



Desirable Requirements:

- A valid Practising Certificate or be eligible to obtain a Practising Certificate prior to the starting date.
- Experience in investigation and conducting formal inquiries.
- Experience of undertaking strategic litigation.
- Experience of working directly with children and young people.
- A broader understanding of domestic and international law as it affects children and young people.
- An understanding of the public sector in Scotland.



Appointment to this post, is subject to membership of the PVG scheme (Protection of Vulnerable Groups scheme) and satisfactory PVG Scheme records issued by Disclosure Scotland. Where the contents of a PVG Scheme record are not satisfactory, we reserve the right to withdraw the offer of employment.



Successful candidates will be required to produce original certificates to enable us to verify qualifications.

* Disability is defined as a physical or mental impairment, which has a substantial and long-term adverse effect on a person's ability to carry out normal day-to-day activities.

* Care-experience includes anyone who has ever been looked after in local authority care (for instance if you have been in foster care/kinship care/residential care, or have been looked after at home on a compulsory order).

