

THE SPECIAL RESTRICTIONS ON ADOPTIONS FROM NIGERIA (SCOTLAND) ORDER 2021

CRWIA – Stage 1

February 2021

CRWIA Stage 1

Screening - key questions

(Hyperlink will only work within SG)

1. Name the policy, and describe its overall aims.

The special restrictions on adoption from Nigeria (Scotland) Order 2021. The Special Restrictions on Adoptions from Nigeria (Scotland) Order 2021 provides that special restrictions are to apply for the time being in relation to the bringing of children from Nigeria into Scotland in the cases mentioned by section 62 of The Adoption and Children (Scotland) Act 2007 (the Act). This amounts to a restriction of intercountry adoptions from Nigeria as it prevents the Scottish Government from taking any step which it might otherwise have taken in processing such cases, unless it is satisfied that a case should be treated as an exception.

The reason for making the Order is in response to significant child safeguarding concerns about integrity, practices and procedures in the Nigerian intercountry adoption system.

The SSI aims to increase safeguards to protect the rights and wellbeing of children subject to the intercountry adoption process in Nigeria. By implementing this process, it is anticipated that there will be more robust processes and procedures that promote the best interests of the child.

2. What aspects of the policy/measure will affect children and young people up to the age of 18?

The Articles of the UNCRC and the child wellbeing indicators under the Children and Young People (Scotland) Act 2014 apply to all children and young people up to the age of 18, including non-citizen and undocumented children and young people.

The SSI will affect all children subject to the Nigerian intercountry adoption process.

3. What likely impact – direct or indirect – will the policy/measure have on children and young people?

'Direct' impact refers to policies/measures where children and young people are directly affected by the proposed changes, e.g. in early years, education, child protection or looked after children (children in care). 'Indirect' impact refers to policies/measures that are not directly aimed at children but will have an impact on them. Examples include: welfare reforms, parental leave, housing supply, or local transport schemes.

The policy will have a direct positive impact on children and young people affected by Nigerian intercountry adoption processes.

4. Which groups of children and young people will be affected?

Under the UNCRC, 'children' can refer to: individual children, groups of children, or children in general. Some groups of children will relate to the groups with protected characteristics under the Equality Act 2010: disability, race, religion or belief, sex,

sexual orientation. 'Groups' can also refer to children by age band or setting, or those who are eligible for special protection or assistance: e.g. preschool children, children in hospital, children in rural areas, looked after children, young people who offend, victims of abuse or exploitation, child migrants, or children living in poverty.

All children as defined by the UNCRC and who are subject to the intercountry adoption process in Nigeria will be affected.

5. Will this require a CRWIA?

Explain your reasons.

Yes. The process of undertaking a CRWIA and the subsequent research and analysis of evidence will help to record the impact of this policy on children's rights and wellbeing. The CRWIA is necessary to facilitate a deeper understanding of the wider issues facing young people and in turn informs more effective and relevant policy recommendations.

CRWIA Declaration

Tick relevant section, and complete the form.

CRWIA required

CRWIA not required

x

Authorisation

Policy lead

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Dominic Brack

Date

20 January 2021

Deputy Director or equivalent

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Bill Scott-Watson

Date 20 January 2021



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