

*These notes refer to the Children and Families Act 2014
(c.6) which received Royal Assent on 13 March 2014*

CHILDREN AND FAMILIES ACT 2014

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 6 - the Children's Commissioner

Section 107: Primary function of the Children's Commissioner

2A United Nations Convention on the Rights of the Child (UNCRC)

440. Section 2A(1) (inserted into the 2004 Act by section 107) provides that the Commissioner must have particular regard to the UNCRC and any Optional Protocols which are in force in relation to the United Kingdom (subject to any reservations, objections or interpretative declarations by the United Kingdom), when considering what constitutes children's rights and interests. As Article 41 of the UNCRC makes clear, where other rights exist in domestic law or international law applicable to that State, which afford children greater protection than the UNCRC, these should apply.