



Convention on the Rights of the Child

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Committee on the Rights of the Child

Combined sixth and seventh periodic reports submitted by the United Kingdom of Great Britain and Northern Ireland under article 44 of the Convention, due in 2022*, **

[Date received: 16 June 2022]

* The present document is being issued without formal editing.

** The annexes to the present report may be accessed from the web page of the Committee.



Introduction

1. The State Party is dedicated to providing the best possible opportunities for all children, but especially those who have the hardest start in life. Every child should be kept safe and protected in an environment where their rights are promoted and protected. The UK remains fully committed to the United Nations Convention on the Rights of the Child (UNCRC).
2. The United Kingdom Government (UKG) is grateful to the Committee for providing a List of Issues prior to the submission of the combined sixth and seventh reports. We look forward to discussing the actions the UK has taken to strengthen children's rights with the Committee, and any areas where further positive steps can be taken.
3. We recognise that children must have the right to express their views on matters that affect them. As part of the reporting process, UKG engaged children, through comprehensive consultation, to understand their views, whilst raising awareness of the Convention. Over 5000 children from a wide demographic participated, and every attempt has been made to take their views into account in this report. A child friendly summary of the consultation is included in Annex C. Child friendly infographics, alongside videos, will be published with the report.¹
4. Consultation has been carried out through a joint Action Group, co-chaired by Civil Society and UKG, on the list of issues, including on topics such as child poverty, mental health, and justice. UKG shared a draft of the report with Civil Society across the UK for feedback in advance of submission.
5. This report represents the UK, including the Crown Dependencies (CDs) and British Overseas Territories (OTs). Implementation of most UNCRC articles falls under the power of Devolved Governments (DG), CDs and OTs, who have their own constitutions and domestic laws. Each jurisdiction has unique circumstances, diverse communities, and different challenges we can each learn from. This report seeks to reflect areas where there is a common position and where there is variation across jurisdictions and responds to the List of Issues Prior to Reporting (LOIPR) for the UK collectively, unless otherwise stated.

I. New developments

6. The State Party is fully committed to promoting children's rights and extensive measures have been introduced to strengthen children's rights since 2016 and are detailed throughout this report. Progress includes:
 7. England: UKG published a consultation on the proposed changes to the special educational needs and disabilities (SEND) system; commissioned an Independent Review of Children's Social Care that has published recommendations in a final report; ratified the Council of Europe Convention on Protection of Children against Sexual Exploitation and Sexual Abuse (the Lanzarote Convention) to continue tackling sexual abuse of children; and the legal age of marriage will be raised to 18 (England and Wales).
 8. Wales: The Welsh Government (WG) prohibited corporal punishment; extended voting rights to 16- and 17-year-olds; and is developing a whole school approach to emotional wellbeing support.
 9. Scotland: The Scottish Government (SG) committed to incorporate the UNCRC and 1st and 2nd Optional Protocols directly into Scots law to the maximum extent possible within the remit of the Scottish Parliament.
 10. Northern Ireland (NI): The Northern Ireland Executive (NIE) developed a Children and Young People's Strategy (CYPS) which promotes children's rights; and the NI Assembly established a Youth Assembly.

¹ Please see gov.uk.

11. Crown Dependencies: The UNCRC and two Optional Protocols were formally extended to Guernsey and Alderney in 2020. Jersey established a Children’s Commissioner, prohibited corporal punishment, and will be introducing a law to indirectly incorporate the Convention. The Isle of Man (IoM) is working with UKG to ratify the two Optional Protocols on Armed Conflict and the Sale of Children.

12. Overseas Territories (OT): At the annual Joint Ministerial Council (JMC), the OTs agreed to conduct a review of outstanding reservations to the Convention with a view to considering their withdrawal. The Foreign Commonwealth and Development Office (FCDO), with UNICEF, delivered a Positive Behaviour Programme promoting rights-based disciplinary practices in education settings in Anguilla, British Virgin Islands (BVI), Montserrat and the Turks and Caicos Islands (TCI).

13. UKG is working with the Gibraltar Executive to extend the UNCRC to Gibraltar.

COVID-19

14. The pandemic has had a significant impact on the lives of all children, their experience at home, and their access to school and play. Significant efforts continue to be made to understand and to mitigate the negative impacts the pandemic has had on children, particularly those identified as vulnerable.

15. In England, the government kept schools open for vulnerable children during national lockdowns; established the National Tutoring Programme; and eliminated the barrier of digital exclusion for children through the Get Help with Technology programme, which resulted in the distribution of over 1 million new laptops, alongside wireless routers for disadvantaged children, to mitigate the adverse impacts of the pandemic.

16. UKG provided disadvantaged children with free healthy meals, and activities during school holidays, and made significant funding available to support vulnerable households with the cost of household essentials. Programmes were delivered to tackle Female Genital Mutilation (FGM), provide care for unaccompanied asylum-seeking children (UASC), prevent adolescents from harms, and reduce court backlogs. Public Health England (PHE) produced guidance for parents and carers, including updating the websites ‘Rise Above’ and ‘Every Mind Matters’ to support children’s mental health.

17. The WG provided £83.3m for free school meals (FSM) during school holidays and for learners unable to attend school; £3m to enable digitally excluded learners to continue learning; and £4.85m for food and engagement activities through the School Holiday Enrichment Programme.

18. The SG committed £140m to tackle food insecurity, including £56m for holiday meal support, and £25m to support digital inclusion amongst children.

19. The NIE established the Joint Health & Education Oversight Group to establish measures to support vulnerable children alongside a scheme to provide digital devices to children.

20. UKG supported OTs by dispatching personal protective equipment, testing supplies, medical equipment, targeted financial support, and vaccines to all, including children. The UK Health Services Authority provided expert advice to inform OT policies on health, including mental health.

21. England, Scotland, and Wales conducted Child Rights Impact Assessments (CRIA) on legislative measures during the pandemic, to ensure policies considered children’s rights. Information on the UK’s response to the pandemic is provided throughout this report and takes account of the Committee’s Statement of 8 April 2020.

Withdrawal from the European Union (EU)

22. Children’s rights remain protected since the UK’s withdrawal from the EU. The rights and best interests of the child are set out in the Children Act 1989, the Children Act 2004,

the Children and Families Act 2014, the Adoption and Children Act 2002 (England and Wales), secondary legislation and statutory guidance. These laws and policies have not changed since the UK's withdrawal from the EU. Most rights protected in EU law are also protected in other international instruments to which the UK is a party, notably the European Convention on Human Rights.

23. The non-incorporation of the Charter of Fundamental Rights into UK law does not affect the substantive rights that children already benefit from, as the Charter was not the source of those rights. Retained EU law will continue to be interpreted by UK courts in a way that is consistent with the rights which the Charter reaffirms, so far as it is possible. Case law will continue to aid the interpretation of retained EU law, insofar as cases have been decided by reference to those underlying rights.

24. The EU Settlement Scheme protects the rights of children in care and care leavers, enabling EU citizens, including children, to live in the UK. UKG acknowledges the critical role the Local Authority (LA) has, as the corporate parent, in supporting them through the application process to ensure their rights are protected. UKG consulted with stakeholder groups representing the needs of looked after children (LAC) and care leavers on the scheme.

25. The Turing Scheme replaces Erasmus+ in the UK and provides a programme for study and work experience abroad. UKG invested £110m in 2020/21 and is funding over 41,000 mobility placements. A second round of Turing funding is underway for 2022/23. The WG is funding £65m for Taith from 2022–2026 supporting 25,000 mobility opportunities. Both schemes aim to improve social mobility, offering life-changing opportunities to children in schools, colleges, and universities.

26. UKG, DGs and CDs strive to ensure policymaking reflects the child's best interests through promoting the use of CRIAs, where relevant.

Sustainable Development Goals (SDG)

27. UKG remains a world-leading international development donor, committed to achieving the UN's SDG by 2030. The Office for National Statistics (ONS) is currently reporting data on 83% of the SDG Global Indicators. In 2019, UKG submitted its first Voluntary National Review (VNR) considering progress towards the SDGs, which included data on children, and contributions from the WG and SG. The FCDO and ONS are signed up to the Inclusive Data Charter and produce comprehensive and disaggregated data to enable UKG to target interventions accordingly. This covers difficult to reach groups, including vulnerable children.

28. In 2020, UKG announced a temporary reduction in the UK's aid budget from 0.7% to 0.5% of the national income (2020), due to COVID. Improving economic forecasts show that UKG may meet its test to return to spending 0.7% of the national income on aid in the near future.

29. Children are at the centre of UKG's work, through investment and ensuring equal access to education and health care, alongside protecting them from violence and advocating for a child rights approach to tackle child labour. In 2021, UKG announced £18m to prevent child marriage across 12 countries, including Bangladesh and Uganda. To improve outcomes for children, UKG engaged the Youth 7 as part of its Presidency of the 2021 G7. The Special Envoy for Girls' Education regularly engages with young people to champion their leadership to deliver the Girls' Education Action Plan.

30. In Wales, the Wellbeing of Future Generations (Wales) Act 2015 provides a comprehensive approach to sustainable development that reflects the 2030 SDG agenda. The framework consists of 50 wellbeing indicators and an Annual Wellbeing Report. Wales contributed to the VNR and published a report on actions, that includes children.

31. In Scotland, the National Performance Framework reflects the 2030 agenda and localises the SDGs. The SG worked with the SDG Scotland Network, a coalition of organisations, during 2019 to highlight challenges and opportunities in achieving the SDGs.

This contributed to Scotland and the SDGs: a national review bringing together evidence and driving actions on progress on the SDGs.

II. Rights under the Convention and the Optional Protocols

Reservations and legislation

32. Leaders of the OTs acknowledged the importance of the UNCRC at the annual JMC in 2021. Territory Leaders publicly committed to reviewing the reservations with a view to seeking their withdrawal. UKG is working with OTs to review progress periodically.

33. The IoM government will keep the withdrawal of the reservation of article 32 under review but considers that the reservation to article 37c is used as a last resort. Children under 18 may be placed in prison with adults only if accommodation in the young person's secure unit is unavailable. To date, this has not occurred.

UNCRC Implementation

34. The State Party is dedicated to promoting children's rights in all aspects of society and ensuring the Convention is reflected in domestic legislation.

35. In England, careful consideration is given to the UNCRC when developing new legislation, and policy is regularly assessed to ensure compatibility with the Convention. Existing legislation and policies give effect to the Convention's rights and obligations. If any change in the law is needed to comply with a particular treaty, UKG introduces necessary legislation. The Cabinet Office Guide to Making Legislation (2022), covers the procedures to be followed in preparing primary legislation, highlighting the importance of giving due consideration to the UNCRC. The Children and Families Act 2014 and the Children and Social Work Act 2017 demonstrate that UKG considers children's rights when introducing laws.

36. UKG introduced a CRIA template in 2018 to ensure that UNCRC articles are considered during policy development. Whilst CRIAs are not mandatory, training on the UNCRC, and the use of CRIAs in policymaking is widely promoted across government. During the pandemic, in 2021/2, CRIAs were used for the SEND and Alternative Provision Green Paper, and the Independent Review of Children's Social Care.

37. In Wales, children's rights are enshrined under The Rights of the Children and Young Persons (Wales) Measure 2011. The Children's Rights Scheme 2021 outlines arrangements for Ministers to give due regard to the Convention, which includes a revised CRIA process, where all CRIAs are published. The WG provides funding to Children in Wales to support Ministers to reflect the child's voice in policy.

38. In Scotland, the UNCRC Bill aims to incorporate the Convention and Optional Protocols 1 and 2 into law; and to make Child Rights and Wellbeing Impact Assessments mandatory in certain circumstances. These are already promoted widely, and findings are taken into consideration to adapt policy.

39. The NIE adopted the CYPS (2020) which promotes children's wellbeing and progresses children's rights until 2030. Some departments have used CRIAs in developing policies, although there is no formal CRIA process in place.

40. The CDs are committed to ensuring that the Convention is reflected in domestic law. The IoM seeks to ratify two UNCRC Optional Protocols and UKG are in the final stages of extending these to the IoM. Jersey is introducing a law to indirectly incorporate the Convention into domestic legislation, creating a culture-change across the children's system.

41. Gibraltar officials are working closely with UKG to extend the Convention to Gibraltar, and the St Helenian Welfare of Children Ordinance 2008 promotes children's rights.

42. UKG has carefully considered implementation of Optional Protocol 3 as an additional remedy for children where rights are breached and believes that domestic legislation enables children to challenge government decisions in the domestic courts, through Judicial Review and SEND Tribunals.

Human Rights Act (HRA)

43. UKG received the Independent Human Rights Act Review's report in October 2021 and laid the report in Parliament alongside the HRA consultation, which seeks views on UKG's proposals and the impact on particular groups. UKG launched a consultation, in December 2021, on proposals to update the HRA 1998 and replace it with a Bill of Rights, to be introduced this Parliamentary session.

44. In preparing the consultation, UKG carried out an initial examination of the proposals from an equalities perspective, including impacts on children. UKG is currently assessing the responses to this consultation and will publish a full impact assessment prior to introducing any legislation. The UK will remain party to the European Convention on Human Rights.

Bill of Rights NI

45. UKG is committed to upholding the Belfast (Good Friday) Agreement, which includes provision for a Bill of Rights (NI).

46. The New Decade, New Approach Agreement included a commitment to establish an Ad-Hoc Assembly Committee to consider the creation of a Bill of Rights, faithful to the intention of the Belfast (Good Friday) Agreement. NI Ministers recognise that the work of the Ad Hoc Committee is important in reaching a consensus on the Bill of Rights. The Committee published an initial report which was debated by the NI Assembly and made its final report which was brought to the Assembly in February 2022.

47. As part of the consultation, children and children's rights organisations provided views on the Bill of Rights (2021), alongside specific children's rights that should be protected.

Comprehensive policy, strategy, and coordination

48. UKG strives to find new ways to promote children's rights and recognises that strengthening children's rights is a continuous process. UKG welcomes the constructive challenge that will be made by the Committee and will use this to inform thinking on a children's rights strategy and associated action plan, to implement changes going forward, considering the Concluding Observations. If an interministerial board is deemed a useful vehicle for driving children's rights progress, UKG will consider it.

49. In England, domestic legislation, and statutory guidance, such as the Children and Social Work Act (2017) and Working Together to Safeguard Children (2017), promote children's rights and reflect UKG's commitment to the Convention. A CRIA process and Action Group were established in 2017/18 to drive progress on children's rights, in response to the Concluding Observations. The Action Group brings together children's rights experts and officials from England, the DGs, and CDs.

50. In Wales, a Children Rights Advisory Group and UNCRC monitoring group, involving children's rights experts, provides scrutiny on the implementation of the Convention. The WG publishes a report on progress on the Concluding Observations and published a cross-government Children and Young People's Plan (2022).

51. In Scotland, Ministers consider the UNCRC Bill will strengthen children's rights by making it unlawful for public authorities to act incompatibly with the rights incorporated by the Bill. Progressing the Human Rights of Children Action Plan (2021/2024) includes measures to embed a rights-based approach in public services and supports children to claim their rights.

52. In NI, the CYPS (2020) is rooted in the UNCRC and recognises the Convention on the Rights of Persons with Disabilities. The Delivery Plan (2021-24) outlines the actions government departments will take to improve the children's wellbeing and rights.

53. The CDs have measures in place to strengthen children's rights. In the IoM, the government develops an 'Island Plan' during each administration, which includes children's rights outcomes. Embedding the UNCRC is a core objective of Guernsey and Alderney's Statutory Children and Young People's Plan, which meets the requirements of the Children's Law 2008, of which Guernsey's Committee for Health and Social Care is responsible for monitoring implementation. The Supervisory Governance Group monitors the Convention's implementation. In Jersey, the Indirect Incorporation law will introduce a statutory CRIA to address how policy decisions impact children.

54. The FCDO works with some OTs to develop child safeguarding national action plans and promotes the importance of children's rights through Child Safeguarding Boards. The Falkland Islands, Ascension and St Helena Safeguarding Children Boards are responsible for ensuring that their respective governments, and partner organisations carry out their duties in relation to the safeguarding of children's welfare, whilst paying due regard to the Convention.

55. Children's Rights officials in England, the DGs and CDs are responsible for the strategic oversight of the implementation of children's rights. UKG recognises the need for further work on UK wide child rights matters, including setting joint actions to implement the Concluding Observations, where appropriate.

Allocation of resources and COVID-19

56. UKG carefully considers the equality impacts of the individual measures announced at fiscal events. This includes examining impacts on those with protected characteristics, in line with legal obligations under the Public Sector Equality Duty (2011) (s.149 of the Equality Act 2010). The Impact on Households report, published separately alongside each budget, includes analysis of the impact of UKG's measures on households at different income levels.

57. UKG ensures a transparent budgeting process through publishing material on spending plans and economic forecasts at all fiscal events. Each fiscal event is subject to significant parliamentary and public scrutiny. Final budgets for government are published on gov.uk as part of the Public Expenditure Statistical Analysis report. Individual government departments publish information on their spending by sector, such as the UKG Public Expenditure and Statistical Analysis reports. These publications highlight investment related to children, including education for 5–16-year-olds and children's social care. UKG collaborated with children's charities, such as the National Children's Bureau (2021), where children engaged with stakeholders involved in the budgeting process.

58. Since March 2020, UKG provided up to £400bn protecting jobs and incomes in response to the pandemic. Recognising that some households needed additional support, UKG provided £429.1m through the COVID Winter Grant Scheme and Local Support Grant to support those most in need across England with the cost of food, energy and water bills, and other essentials. Both schemes were specifically designed to ensure households with children were given priority support, with at least 80% of the total funding ring-fenced to support households with children. In total, 94.3% of the funding for these two schemes was used for households with children. In October 2021, UKG launched the £421m Household Support Fund for LAs in England to help households with the cost of essentials to meet cost of living pressures. This was extended by a further £421m in April 2022.

59. In Wales, the Rights of Children and Young Persons (Wales) Measure 2011 embeds consideration of children's rights into law and requires Ministers to consider children's rights when making budgetary decisions. The process for procuring goods and/or services must be fair and adhere to Public Contracts Regulations 2015 as amended by the Public Procurement (Amendment etc.) (EU Exit) Regulations 2020. The WG took steps to counter the impact on vulnerable children during the pandemic, including providing: £5m for interactive summer play-based initiatives (2020); £20m for similar activities over the 2021/22 winter period; £8m

for the Child Development Fund; and £7m for Early Help. Between March 2020 and September 2021, emergency payments amounting to more than £15.1m were issued.

60. The SG publishes an Equality and Fairer Scotland Budget Statement each year, alongside its draft budget for the year ahead, which examines the impact of budgetary decisions across protected characteristics. The ‘Fairer Scotland Duty’ (2018) requires that certain public authorities have due regard to the inequalities that result from socioeconomic disadvantage when exercising their functions. The SG invested £31.2m for LAs through COVID Hardship payments that targeted children in low-income families, and over £40m for school holiday activities and meal support in 2021/22.

61. The NIE provided funding to tackle food poverty during the pandemic through: a food programme; a Discretionary Support Self-Isolation Grant for households with children; and payments for children eligible for FSM during school and Further Education college closure.

62. Guernsey and Alderney’s public health response to COVID aimed to support vulnerable children and reduce consequences of the economic crisis, including a focus on vulnerable learners’ attendance. Jersey established the COVID Related Support Scheme which provided an additional child supplement for families, and funding for mental health recovery for children.

Data collection

63. Responses to data questions are set out in Annex E.

Dissemination and awareness raising

64. The State Party recognises the importance of raising awareness of the Convention, and each jurisdiction carries out activities to ensure the UNCRC is widely understood.

65. In England, UKG promotes the Convention through training available to policy officials, as outlined in paragraph 5. A parliamentary event, organised by UKG with Civil Society, and hosted by Vicky Ford, then Minister for Children and Families, (2020) celebrated 30 years of the adoption of the UNCRC by the UN. On Universal Children’s Day, UKG distributed a letter to officials to raise awareness of the Convention. In 2016, UKG worked with Civil Society to produce two child friendly reports of the Concluding Observations, raising awareness of the UN’s recommendations.

66. Consultation with children, carried out by jurisdictions, highlighted that all children firmly believe that awareness of children’s rights and their voice on issues that affect them, are important.

- “Children still need to be heard, and their ideas can really help the planet and the future, we are the future,” UKG consultation.
- “The UKG gives more rights to children than many other countries,” UKG consultation.
- “We think it is important for everyone to know children’s rights so they can help protect them and stand up for us when we can’t stand up for our own rights,” SG consultation.

67. UKG distributed a children’s rights survey through Civil Society (2021) and found that 30% of children reported that they were aware of the UNCRC, and knew what it meant, 26% had heard of it but were not sure what it meant, and 44% had not heard of it.² UKG is analysing responses and will share findings with Civil Society and policy officials and recognises that further steps need to be taken to raise awareness of the Convention. UKG will publish videos and an infographic for children on this report, which will be publicised widely.

² Please see Annex C1.

68. In 2021 the WG published a plan aimed at children, their parents/carers, and professionals, to raise awareness of the UNCRC through relevant programmes and training. To mark the 2019 UNCRC anniversary, the WG organised awareness raising activities.

69. The SG developed a programme (2021–2024) to raise awareness of children’s rights amongst children, young people, parents, and public authorities. The Interim Consortium (2021), coordinated by Together Scotland, supported participation of children in the UNCRC Strategic Implementation Board, which provides strategic oversight of implementation of the UNCRC.

70. In 2019, Jersey established an independent Children’s Commissioner, who promotes awareness of children’s rights. A mandatory Children’s Rights Awareness course for public sector employees promotes understanding of the Convention. Guernsey and Alderney, in partnership with the Youth Commission, developed work streams and training for children and staff based on UNICEF’s Rights Respecting Schools Award (RRSA). In the IoM, individual schools include information on the Convention and the Additional Education Needs Code seeks to promote greater awareness of the UNCRC in schools.

71. UNICEF’s RRSA and Child Friendly City programmes for schools and LAs raise awareness of the UNCRC across the UK amongst children and adults.

International cooperation

72. The UKG’s Strategy for International Development, published in May 2022, sets out the government’s vision for the future of UK international development. The Strategy outlines a focused set of priorities, including delivering honest, reliable investment, providing women and girls with the freedom they need to succeed, stepping-up the government’s life-saving humanitarian work and taking forward work on climate change, nature and health.

73. In 2021, FCDO launched a new Girls’ Education Action Plan that outlines the three pillars that support UKG’s international development cooperation to advance children’s rights, with regard to education. These are: building a global coalition on girls’ learning; country-led action to get more girls in school, kept safe and learning; and investing in global goods to support bold education reform.

74. In 2021, UKG hosted the Global Education Summit, along with Kenya, to support the Global Partnership for Education (GPE) and secured £2.9bn to deliver education for the next five years to help 175 million children learn.

75. The UK will host an international Preventing Sexual Violence in Conflict (PSVI) conference on 28–30 November 2022, marking 10 years since the launch of the PSVI Initiative in 2012, and will rally international support to tackle conflict related sexual violence. The conference is an opportunity to build on the UKG launched call to action to ensure the rights and wellbeing of children born of sexual violence in conflict, an important step to protect this vulnerable group.

Children’s rights and the business sector

76. UKG is harnessing its spending power to ensure exploitative parties do not take a share of government spends on goods and services each year. Under the Public Contracts Regulations 2015, tenderers bidding for public procurements must be excluded if they have been convicted of certain slavery, servitude and forced or compulsory labour related offences, including offences against children. Contracting authorities have discretion to exclude tenderers if they have violated certain social or labour laws, including the International Labour Convention 182 - Worst Forms of Child Labour Convention.

77. UKG expects all British companies to adhere to the rule of law and build respect for human rights, including children’s rights, and the environment into all aspects of their operations, both domestically and in other territories. The promotion of due diligence is provided for in existing legislation on corporate transparency, holding businesses to account

on human rights and environmental matters. UK listed companies are required to cover relevant human rights and environmental issues in their annual reports.

78. Large businesses are required to publish supply chain transparency statements on steps they have taken to ensure that modern slavery or human trafficking does not take place in their business and supply chains. Both reporting requirements compel disclosure of a company's due diligence arrangements where these are in place.

79. Cabinet Office published guidance (2019) outlines steps departments must take to identify and mitigate modern slavery and child labour risks throughout the commercial life cycle. In March 2020, UKG published the world's first Modern Slavery Statement detailing steps taken to prevent modern slavery in its supply chains. Ministerial departments now publish their own statements annually.

Age of marriage

80. In UKG, the Marriage and Civil Partnership Act (2022) has been passed and the legal age of marriage will be raised to 18, in England and Wales.

81. SG is seeking views from key stakeholders on whether the minimum age of marriage should be increased to 18. In NI, a public consultation on the age of marriage, in response to the Committee's recommendation, recently concluded, and future legislative decisions are being considered.

82. In Jersey, legislation has been passed to raise the age of marriage to 18, and the IoM will consider whether to raise the age of marriage in due course. The OT, St Helena, is open to considering measures to raise the age of marriage.

General principles

Non-discrimination

83. UKG is committed to eradicating age discrimination and addressing negative public attitudes towards children, legislating where necessary. The Equality Act (2010) (England, Scotland, Wales) provides protection against discrimination for all children under 18 in relation to the provision of work. Public authorities, including government departments must have due regard to the Public Sector Duty Act (2011).

84. The Senedd and Elections (Wales) Act 2020 extended the vote to 16- and 17-year-olds and The Wellbeing of Future Generations (Wales) Act 2015 placed an equal Wales as a goal of all public services.

85. In 2017, SG commissioned questions on Public Attitudes to Young People in Scotland, to better understand negative portrayals of children in wider society.

86. The CDs each have their own legislation that provides protection against discrimination to children. The Equality Act in the IoM (2017) and The Children (Guernsey and Alderney) Law (2008) provides protection against discrimination. The Discrimination Law (2013) in Jersey provides protection against certain types of discrimination and the Youth Service plays a critical role in engaging children to become active citizens.

87. All OT constitutions include provisions to protect children from discrimination. The Constitution Order (2008) in the Falkland Islands and the Welfare of Children Ordinance (2008) in St Helena ensure children are protected from discrimination. The Ascension government promotes the positive impact children have in their community through delivering citizenship programmes and a trainee programme.

Review of prevent strategy and freedom of expression

88. UKG's Prevent Duty aims to prevent people from being drawn into terrorism, without undermining children's rights. The Duty does not target specific demographics, faiths, or ethnic groups, including Islamist and extreme right-wing terrorism. UKG supports Civil

Society to deliver projects in the community to build awareness of the risks of radicalisation, and resilience to terrorist narratives.

89. The Duty encourages schools to be safe spaces where children can discuss sensitive topics, such as extremism, and learn to challenge these ideas. UK schools and further education providers are required to promote the values of democracy, mutual respect, and tolerance of those with different faiths and beliefs. UKG provides resources, reviewed by external experts, on the Educate Against Hate website, to support teachers in having conversations on sensitive topics with children.

90. In 2021, William Shawcross was appointed Independent Reviewer of Prevent (England, Wales, Scotland). The review is considering the UK's strategy for protecting people being drawn into terrorism, and the full report, alongside recommendations will be published in late 2022.

91. In Scotland, prevent works in parallel with safeguarding processes, and LAs are expected to demonstrate awareness of the Duty and children's rights in their work.

Eliminate discrimination

92. UKG is undertaking substantial work to eliminate discrimination for all children, irrespective of their background. UKG invested: £4m to support schools in addressing homophobic, biphobic, and transphobic bullying; £1m on trauma-informed practice to improve outcomes for 11,000 ethnic minority children at risk of entering the criminal justice system; and £1m in adopter recruitment, which generated an increase in people of all backgrounds coming forward to adopt. Regional Adoption Agencies reviewed their services to reduce the risk of prospective adopters suffering discrimination.

93. To support disadvantaged children, the WG invested £128m for the Pupil Development Grant, and up to £200m for FSM, for primary pupils. The Nation of Sanctuary Refugee and Asylum Seeker Plan and Anti-Racist Wales Action Plan designed with ethnic minority communities (2022) ensure inequalities experienced by these communities are reduced. The LGBTQ+ Action Plan (2022) includes a commitment to develop guidance for schools to support LGBTQ+ learners.

94. The SG established an LGBT Implementation Group to implement the recommendations of the LGBTI Inclusive Education Working Group, improving the education experience of LGBTI children, and launched the Action Plan Improving the Lives of Scotland's Gypsy/Travellers (2019) which outlines steps to overcome injustices experienced by travellers.

95. The NIE undertook a consultation on proposals for a regional service delivery model for UASC, and the new joint Health and Education Strategy for Looked After Children (2021) includes commitments to address discrimination.

96. In Guernsey and Alderney, the Youth Commission provides an advocacy service helping children in the care system challenge discrimination.

97. In the OTs, Section 14 of the Education Ordinance (1989) ensures that education is available to children, without regard to their race, nationality, or place of origin. FCDO funded training for professionals in TCI which covered eliminating discrimination against the mainly Haitian migrant community, including children.

Complaints of discrimination

98. UKG is clear that discrimination against children is unacceptable and investigated race disparities as part of wider monitoring efforts through the Commission on Race and Ethnic Disparities (CRED) Report (2021). In response to the CRED report, 'Inclusive Britain' details 74 actions for UKG, including improvements for children at risk of exclusion and funding for disadvantaged children.

99. In England, Wales, Scotland and NI, the independent Children's Commissioners have explicit responsibility for promoting children's rights. In England, Wales, and NI, Commissioners can investigate on behalf of an individual child where there are wider implications for children's rights and monitor effectiveness of complaints and advocacy

services for children. In Scotland, the Commissioner can investigate possible breaches of rights, on behalf of groups of children and individual children in specified circumstances. In 2020, WG introduced a complaints process for children.

100. In Jersey, children can raise discrimination concerns to the Children's Commissioner, and in certain circumstances the Commissioner may formally intervene in legal proceedings relating to an issue. Children in Guernsey and Alderney can make complaints through their school council and government complaints procedure.

Right to life and survival

101. UKG is committed to delivering lasting change to tackle the underlying causes of infant mortality to avoid child deaths.

102. In England, under section 16C (1) of the Children Act 2004 (as amended by the Children and Social Work Act 2017), LAs have a statutory responsibility to notify the Child Safeguarding Practice Review Panel of any serious incident where a child dies or is seriously harmed, and to ascertain lessons and necessary actions alongside other local safeguarding partners. The responsibilities of LAs and local clinical commissioning groups in relation to child death reviews are provided in the Children and Social Work Act 2017 and set out in the Child Death Review guidance (2017). In England, the Working Together to Safeguard Children guidance (2018) recognises the role that health plays in protecting children from harm and outlines multiagency arrangements for safeguarding.

103. Since the 1990s, there has been a 70% reduction in the number of sudden unexpected deaths in infancy in England and UKG's ambition is to halve the 2010 maternal deaths rates that occur during or soon after birth by 2025.

104. In Wales, the Healthy Child Wales and Early Years Integration Transformation Programmes are reducing inequity through improved targeting of services for those that need support. Regional Safeguarding Children Boards have a statutory responsibility to undertake multiagency Child Practice Reviews in circumstances of a significant incident where abuse of a child is known.

105. In Scotland, the Maternity and Children Quality Improvement Collaborative focuses on improving outcomes for babies, children, and mothers. The SG established a national child death review system to ensure consistent reviews are carried out into the death of all children up to age 18. The Safeguarding Board in NI is reviewing its statutory duties to manage child deaths, and a report was provided to the Department of Health in April 2022.

106. In Jersey, the Health and Wellbeing Framework outlines the government's approach to addressing the determinants of health that influence children's outcomes. A joint Child Death Overview Panel for Jersey, Guernsey and Alderney considers all child deaths, excluding still births and planned terminations, and robust family assessment in the community identifies the impact of inequality on the child and family. In the IoM, there is a statutory requirement for all child deaths to be reviewed. Most CDs and OTs have low rates of avoidable child deaths.

Respect for the views of the child

107. The State Party believes that the voice of the child should be heard when decisions are made that affect them.

108. In England, Section 22(4) of the Children Act 1989, provides that LAs should ascertain a LAC's feelings before making decisions in respect of the child. The corporate parenting principles introduced through the Children and Social Work Act 2017 require LAs to encourage children to express their views, and act upon them. Cafcass represent children in family court cases and work with children in care to ensure that LA arrangements and decisions are in the child's best interest.

109. The Victims' Code (2021) ensures child victims are eligible to enhanced rights. A consultation on improving victims' experiences of the justice system ended in February 2022.

In May 2022, UKG published the consultation response and a landmark draft Victims Bill, to put victims, including children, at the heart of the criminal justice system. This will now go through pre-legislative scrutiny.

110. Since May 2021, children have been automatically entitled to in-person legal advice in police custody interviews. Amendments to the Police and Criminal Evidence Act ensure that 17-year-olds detained in police custody are treated as children. Youth Offending Teams (YOTs), LAs, and CRIAs ensure that the child's views are considered.

111. UKG funds the Always Heard 'safety net' service ensuring that no child in, or leaving, care goes without an advocate, and have committed to increasing funding for all victim support services to £185m by 2024/25 to support children that have been abused.

112. In Wales, the National Approach to Statutory Advocacy entitles LAC or children that are subject to a child protection enquiry, to advocacy. The WG Admissions Guidance seeks to ensure that children admitted to hospital are accommodated in the most appropriate environment. Children that can make a decision have the right to exercise choice as to where they receive treatment.

113. In Scotland, from 2020, the Children's Hearings (Scotland) Act 2011 activated duties requiring children's panel chairs to inform children about their advocacy in children's hearings services. The Children (Scotland) Act 2020 will remove the presumption that only a child aged 12 or over is considered mature enough to give their views in family court cases.

114. In NI, the Youth Justice Agency provides custodial facilities and community-based services for children. The Youth Justice Agency Model of Practice (2021) designed with children, is a framework for practice aligned to Children First principles and puts children's participation at its core.

Meaningful participation

115. UKG is committed to enabling meaningful participation in decision-making at all levels. Grant funding is provided to the UK Youth Parliament (UKYP) programme, and the Youth Engagement Grant is used to fund the Youth Policy Development Group (YPDG), which engages Ministers to influence policy. The Young People's Board (YPB) includes children with experience of migration that share views with UKG. The Family Justice Young People's Board (FJYPB) works with UKG to deliver improvements to the family justice system (England and Wales).

116. UKG consulted the YPDG, FJYPB and YPB and children with special educational needs on the UNCRC reporting round. The themes of discussions included: levels of understanding of children's rights; climate change; age discrimination; experience of discrimination; right to equal education; experience of discrimination; and adequate housing. Select responses from children, that highlight the importance of meaningful participation and education are included below. Further detail is included in Annex C:

- "Having youth parliaments like this, I think that's something that the Government does well," UKG consultation.
- "There are other ways to survive in life, but without an education, you get stuck in a place. You can't really move up," UKG consultation.

117. UKG seeks to work with DGs and CDs, on structured engagement with children on relevant child right policy issues, beyond the reporting round.

118. In 2019, UKG consulted children as part of its review of priorities for environmental action and developed recommendations which inform youth engagement and strategies including the National Parks Youth Rangers Forum.

119. The WG's engagement model ensures children have opportunities to express their views, including annual opportunities for each Minister to hold discussions with children. The WG provides funding to Children in Wales, who facilitate a monthly Young People's Board to gather perspectives on WG's policies. The WG worked in partnership with the Children's Commissioner to design a survey to seek children's views during the pandemic,

which informed the WG approach to communicating with children. Wales has an established Youth Parliament that influences decision-making.

120. The Progressing Human Rights of Children in Scotland Action Plan 2018-21 demonstrates SG's commitment towards mainstreaming the participation of children in policymaking. In 2020, SG published guidance, with children, to support professionals that engage with children on their decision-making. Scotland has an established Youth Parliament and Children's Parliament that engages annually with Ministers at Cabinet meetings since 2017. The SG works with Civil Society to support children's participation, including through Young Inclusion Ambassadors. In NI, a Youth Assembly has been established (2021), and children have discussed issues such as Education, Health, and Rights.

121. In the CDs, Jersey established a Youth Parliament in 2021, and the Children and Young People's Plan 2019/2023 states that all children should be involved. Guernsey and Alderney's Youth Forum engage with representatives on decision-making, and children participate in a bi-annual survey. The IoM Voices in Participation Council enables children in care to influence policies that impact their lives.

122. In the OTs there are established Youth Parliaments in Cayman Islands, BVI, Anguilla, Bermuda, Montserrat, Saint Helena, and TCI.

Legal aid

123. In 2019, UKG conducted a review of the reforms made to the legal aid system under the Legal Aid, Sentencing and Punishment of Offenders Act 2012. An equality impact assessment formed part of this process. The Legal Support Action Plan, the outcome of the review, delivers quicker access to legal support services. Legal aid remains available for appeals regarding the assessment of children with SEND.

124. England and Wales are committed to expanding the scope of legal aid to cover special guardianship orders in private family law and changing the eligibility criteria to provide non-means tested legal aid for parents, or those with parental responsibility, who oppose applications for placement orders or adoption orders in public family law proceedings.

125. In Scotland, children can access publicly funded legal assistance on the broad range of issues that an adult can, if they have the capacity to instruct a solicitor. In NI, the impact of legal aid reforms is routinely assessed, and includes consideration of impacts on children.

126. In Anguilla, the Child Justice Act requires that children must have representation in certain circumstances, for example, if a child is in detention. In the Falkland Islands, access to legal advice for low-income families was central to a review which put the Legal Aid Scheme on a statutory footing (2016). Revisions included: the appropriate operation of means-testing of applicants; removal of the requirement to pay a lump sum contribution; and reducing costs of routine charges.

Birth registration and nationality

127. Under the British Nationality Act (BNA) 1981, children born in the OTs to migrant parents can access citizenship through naturalization. The rules around obtaining citizenship status are complex and requirements vary between territories and can be at the discretion of the local government. The Ascension Constitution recognises that all children have a right to a nationality and that no child should be deprived of their British citizenship by legislation or otherwise. In Pitcairn, a child has a right to citizenship if both parents are permanent Pitcairn residents. UKG recognises further progress needs to be made in some OTs to revise local legislation in order for all children, irrespective of residency status, to access citizenship.

128. A child born in the UK will be a British citizen automatically if either of their parents is a British citizen or settled in the UK at the time of the birth. A child who does not become a British citizen automatically can apply for registration once their parent becomes a British citizen or settled, or on reaching the age of 10. There is an additional provision for a child

born in the UK who has always been stateless, who can apply for registration once they reach the age of five.

129. The Borders, Citizenship and Immigration Act 2009 provides a statutory duty to safeguard the welfare of children in relation to immigration, nationality, and asylum functions. The best interests of the child are a primary consideration in all deprivation decisions, and when a child is obtaining UK citizenship. A decision to deprive someone of their British citizenship must be reasonable and proportionate, and each case is considered individually. UKG does not normally deprive citizens of their citizenship based on actions committed when they were a child. UKG considers that deprivation on conducive grounds is an appropriate response to certain activities. There is a right of appeal against deprivation of citizenship under the BNA.

Freedom of expression, religion, association, and peaceful assembly

130. In England, and the DGs, schools must provide religious education and collective worship or religious observance for pupils, and promote their spiritual, moral, and cultural development. Parents may withdraw their children from any or all acts of collective worship or observance, and in some jurisdictions pupils over 16 have the right to withdraw. There are currently no plans by UKG, WG or NIE to review this policy in state funded schools. SG is currently examining whether to review the policy on the right to withdraw.

131. In England and Wales, the right to freedom of peaceful assembly and association for children is protected under the HRA. There is some anecdotal evidence of the use of acoustic devices in the UK, however adequate legislation such as the General Product Safety Regulations 2005 (GPSR) is provided to prevent their use. The Anti-social Behaviour, Crime and Policing Act 2014 puts victims first, enabling local professionals to prevent the use of mosquito devices and take action where appropriate. Preventing anti-social behaviour requires a multiagency response and YOTs, the police, and LAs have a key role to play.

132. The SG and Police Scotland oppose and proactively discourage the use of mosquito devices. The Antisocial Behaviour etc. (Scotland) Act 2004 outlines sufficient measures to support professionals in dealing with antisocial behaviour. The Police Service of NI (PSNI) opposes the use of acoustic devices in the use of dispersing gatherings and works with LAs to address community issues.

Stop and search

133. UKG is clear that stop and search is a vital tool to protect the public and prevent crime, and balances this with children's rights. Under the Equality Act 2010, stop and search must be used without unlawful discrimination. In England and Wales, stop and search powers are accompanied by legal safeguards, statutory codes of practice and regular inspections of forces by the Independent Inspectorate of Constabulary. Consideration is given to the welfare and maturity of any child stopped, in accordance with the Children Act (2004). There are specific safeguards which police must follow when searching children, including guidance on language, wellbeing and ensuring the encounter is done respectfully. UKG collects and publishes data annually on stop and search to enable scrutiny.

134. UKG is reviewing the Searching, Screening and Confiscation guidance, engaging with the third sector, to look at the roles of parents, the police, and teachers in these situations. UKG aims to publish revised guidance in 2022 to ensure all schools are clear on their duties relating to safeguarding and protecting the welfare of all pupils.

135. In Scotland, the Code of Practice (2017) governs the use of stop and search; ensures that searches are carried out with respect; and ended non-statutory stop and search. In Scotland and NI specific guidance has been published on the stop and search of children. PSNI are reviewing their stop and search strategy to ensure it does not discriminate against children.

Access to appropriate information and right to privacy

136. The State Party recognises that children require online services for education, further highlighted during the pandemic.

137. In 2020–2022, UKG provided over 1.95 million laptops and tablets to educational settings, as part of a £520m investment to support access to remote education and online social care services during the pandemic. UKG introduced the Online Safety Bill (2022) to hold technology companies to account for harmful content and activity on their service, with the strongest protections for children. The second annual Online Media Literacy Action Plan supports the empowerment of children to make safe choices online. UKG supports the Age-Appropriate Design Code (2021), which provides stronger protections for children’s personal data and guidance for companies on suitable privacy standards. In 2021, UKG increased the minimum age of sale for National Lottery products to 18 to ensure children and young people are kept safe from gambling-related harm.

138. The WG invested over £160m to support equitable digital services for maintained schools to deliver Our National Mission. The Digital Resilience in Education Action Plan and The Digital Competence Framework outline measures that support children to stay safe online and develop digital competence at school. The WG is committed to protecting the privacy of users through Hwb, the educational learning platform, and Enhancing Digital Resilience in Education provides an action plan detailing online safety for children.

139. In Scotland, the ‘Connecting Scotland’ programme (2021) supports 23,000 low-income households with children to access online services for two years. The Digital Strategy and National Action Plan on Internet Safety for Children and Young People outline a vision for an ethical digital nation to protect children from harm, and work is underway with Ofcom to develop proposals to ensure children are safe online. Glow, a national closed online learning environment, for learners and educational staff, protects children undertaking online learning from advertising and data mining.

140. The Online Safety Strategy (2021) in NI outlines actions to protect children from harm online. The NIE invested £7.6m (2020/2021) plus £0.4m (2021/22) on online services for Further Education students, and Project Stratum is utilising £197m to improve rural broadband connectivity. The Online Safety Strategy and Action Plan promotes online safety for children, and the Safeguarding Board e-Safety Forum keeps families safe online.

141. In the CDs, Jersey provided children access to broadband free of charge during the pandemic. The Digital Skills and Thinking Differently strategies introduced measures to improve digital literacy for children. Children in Guernsey and Alderney were given access to equipment for online learning, and the multiagency Online Safety Group works with UKG to deliver safe access to online activity locally. The IoM provided online services for children at social disadvantage during school closures and the Safer Schools programme enables children to have access to online safety support.

142. In the Falkland Islands, access to IT facilities were provided to children in rural locations, and devices were distributed to disadvantaged students in Anguilla. In BVI, surveys determined which children required access to a laptop, and a loan programme was introduced to supply devices. Alongside this, the Computer Misuse and Cybercrime (Amendment) Act (2019) includes provisions to protect children from cyberbullying, identity theft and fraud. FCDO worked with the Internet Watch Foundation to establish systems to identify inappropriate activity that may put children at risk, and funded training for professionals to strengthen knowledge of online risks. In Tristan Da Cunha, a policy on the use of images of children on social media and the risks of online abuse was distributed to all parents.

Torture and other cruel or degrading treatment or punishment

143. UKG is clear that force used by the police on anyone including children must be necessary, reasonable, and proportionate in the circumstances. This includes the use of Tasers, attenuating energy projectiles, spit guards and other equipment. The Code of Practice

on Armed Policing and Police Use of Less Lethal Weapons (2020) sets out principles for police using firearms, specialist munitions and less lethal weapons in England and Wales. All serious incidents are referred to the Independent Office for Police Conduct for investigation. All officers receive comprehensive training in assessing the potential vulnerabilities of a person, including children. This includes training officers to factor in the potential vulnerabilities of the person, their age and stature, alongside assessing each situation and understanding the dangers of using restraint techniques with vulnerable people.

144. Spit guards are an important tactical option that give officers protection from spitting and reduces the worst effects of biting alongside reducing the need for officers to resort to other, potentially more injurious, forms of restraint.

145. The causes of racial disparities in the criminal justice system are complex and reflect broader social inequalities that UKG is committed to tackling. Equality and diversity are an essential part of the professional behaviour expected of everyone working in policing as set out in the Code of Ethics published by the College of Policing. UKG is clear that ethnicity should not be the basis of an enforcement decision. The National Police Chiefs Council (NPCC) funded an Independent Review into Disproportionate Effects of Use of Taser (2020) to identify, understand and tackle the root causes of racial disproportionality in police use of Taser.

146. In Scotland, when less lethal weapons are deployed, discharge is referred to the Independent Police Investigations and Review Commissioner. In NI, the PSNI Manual of Policy, Procedure and Guidance on Conflict Management outlines rules concerning the use of force by police officers, and children were consulted on the PSNI Conductive Energy Devices, Spit and Bite Guards policy.

Capacity of professionals and mandatory reporting

147. UKG recognises that schools where children feel safe are paramount to successful learning, and violent forms of discipline are unacceptable. To ensure safety, schools can use seclusion for disruptive pupils for a limited period in exceptional circumstances outlined in 'Behaviour and Discipline in schools' (2020). Where a school uses seclusion as a disciplinary penalty, this should be made clear in their behaviour policy, and only used when it is in the best interests of the child and other pupils. Schools should support disabled children that are at risk of restrictive intervention, making reasonable adjustments where appropriate, as set out in Reducing the Need for Restraint and Restrictive Intervention (2019) and Keeping Children Safe in Education (2021). Whilst at times it may be necessary for restraint to be used against disabled children, it should only be used to prevent pupils from hurting themselves or others, damaging property, or causing disorder. In children's homes and mental health inpatient units the Children's Homes Regulations (2015) and Mental Health Units (Use of Force) Act (2018) provide guidelines to ensure restraint is limited and only used as a last resort.

148. Following the Independent Review of Using Pain Inducing Techniques in the Youth Secure Estate, UKG committed to removing pain-inducing techniques (PIT) from the Minimising and Managing Physical Restraint syllabus in 2020 (England and Wales). The use of PIT will be taught separately as an exceptional safety measure for use as a last resort to prevent serious harm occurring to a child or third party. UKG is clear that children should not be isolated from their peers in institutional settings for disciplinary reasons, and only where it is necessary to manage a risk of serious harm to the child, or others where alternative interventions have been exhausted or are unsuitable. UKG published Minimising and Managing Separation and Isolation in the Children and Young People Secure Estate (2022), which outlines the principles that should be followed when staff are considering or managing instances of separation in the secure estate.

149. In Wales 'Reducing Restrictive Practice Framework' (2021) states restrictive practices, including seclusion, should be used as a last resort, and specifies that PIT should never be used against children.

150. The 'Holding Safely Guidance' in Scotland outlines the parameters for restraint in residential childcare establishments. In the Scottish Prison Service and mental health settings, non-physical responses are prioritised before the need to use restraint or force.

151. A consultation on using restrictive practices took place in NI (2021), and the Department of Education published a report into a review of restraint and seclusion in educational settings, which outlines recommendations that comply with the Convention.

152. In the CDs, seclusion is not used in non-secure settings, and various measures, such as the Positive Behaviour Exclusions and Part-Time Timetables Policy (2019) in Jersey promote early intervention with challenging behaviour.

153. In Tristan da Cunha violent forms of punishment are not condoned, and ordinances and laws are in place in St Helena, and the Falkland Islands which prohibit corporal punishment in schools.

Corporal punishment

154. The State Party remains committed to tacking all forms of violence against children.

155. Since 2016, Wales, Scotland and Jersey have passed legislation to prohibit corporal punishment.

156. The Children (Abolition of Defence of Reasonable Punishment) (Wales) Act (2020) in Wales makes all physical punishment of children illegal by abolishing the defence of reasonable punishment. The WG promotes positive and non-violent parenting through its 'Parenting. Give it time' campaign. The Flying Start and Families First programmes, and National Minimum Standards (2016) supports parents, and promotes positive parenting and behaviour management within regulated childcare settings.

157. The Children (Equal Protection from Assault) Act (2019) in Scotland makes all forms of physical punishment of children by a parent or carer unlawful. The Parent Club and the Family Support Directory provide access to parenting resources, and schools use relationship-based approaches to promote positive behaviour.

158. The Children and Education (Amendment) (Jersey) Law 2019 explicitly prohibits corporal punishment of children in all settings in Jersey.

159. UKG remains committed to improving behaviour in all settings, and measures are delivered to promote positive behaviour, including investment in Behaviour Hubs, which enable exemplary schools to work closely with schools that need to turnaround their behaviour management culture. Corporal punishment is prohibited in educational and alternative care settings. There are currently no plans to repeal the legal defence of reasonable punishment by UKG.

160. Corporal punishment was abolished in schools in NI under The Education (Corporal Punishment) Order 1987, and the review into restrictive practices makes recommendations where further progress can be made. The (Childminding and Day Care) Minimum Standards (amended 2018) outlines requirements for registered childcare facilities, with children under 12, to promote positive behaviour strategies.

161. All CDs have strategies in place to support positive parenting in homes, alongside training and behaviour policies for schools to promote positive forms of discipline. In the IoM corporal punishment is banned in all school and institutional settings but not in the home, and the government will review this issue in due course.

162. In the OT, corporal punishment is banned in schools, in Pitcairn, St Helena and more recently in the Cayman Islands (2017). FCDO funded a UNICEF Positive Behaviour Management Programme (2019) which raised awareness amongst parents, teachers, and caregivers about the impact of violence, and promoting non-violent ways of managing behaviour, which was delivered in Anguilla, BVI, Montserrat and TCI.

Freedom of the child from all forms of violence

163. The State Party recognises the distressing impact domestic abuse and wider violence against women and girls can have on children, as well as the devastating impacts of child sexual exploitation and abuse on all victims and survivors.

164. In January 2021, UKG published the Tackling CSA Strategy (2021), which sets out a whole system approach to tackling all forms of CSA that included a consultation with young people. UKG is also continuing to drive forward a range of crucial initiatives, which include robust domestic legislation, international cooperation, and global standards to keep children safe from all forms of sexual exploitation and abuse around the world. UKG provided £3m to specialist services for children affected by domestic abuse, which included therapeutic support and education schemes. The Violence Against Women and Girls Strategy (2021) and the Tackling Domestic Abuse Plan aim to prevent crimes, support survivors, and pursue perpetrators. The Domestic Abuse Act (2021) recognises children as victims of domestic abuse in their own right, and the Domestic Abuse Commissioner encourages good practice support for children affected by domestic abuse.

165. In 2022, UKG commissioned an evidence review of harmful sexual behaviour (HSB), by the University of Surrey, which discusses examples of interventions pertaining to HSB, positive peer relationships and sexual behaviours in schools, to inform policy. In Wales, under the Violence against Women, Domestic Abuse and Sexual Violence Act (2015) an annual report measures progress against the national strategy on violence against women, domestic abuse and sexual violence, and a national plan prevents CSA and supports women and girls' recovery.

166. In Scotland, National guidance for child protection (2021), the Equally Safe strategy, and the Domestic Abuse Act (2018) set out expectations for protecting children, and work to prevent domestic violence, violence against females, and CSA.

167. The Domestic Abuse and Civil Proceedings Act (2021), in NI, makes domestic abuse a specific offence and the NIE is developing a Violence Against Women and Girls Strategy.

168. Across CDs, a range of measures have been introduced to tackle domestic violence. Jersey appointed a children and young person's Independent Domestic Violence Advisor; Guernsey and Alderney undertook a Harmful Sexual Behaviours Audit to identify good practice (2021); and the introduction of the Domestic Abuse Act 2020 and the Sexual Offences and Obscene Publications Act (2021) in the IoM address domestic violence.

169. In St Helena, TCI, and the Cayman Islands, multiagency networks tackle violence against children and in the Falkland Islands a domestic violence awareness campaign, including training for frontline staff, was launched in 2020.

Capacity of relevant professionals

170. UKG, the DGs and CDs continuously seek to improve the way the police and other agencies safeguard children. In England and Wales, the Children Act 1989 and Children Act 2004 (as amended by the Children and Social Work Act (2017)) requires LAs, clinical commissioning groups and police to form multi-agency safeguarding partnerships to build the capacity of relevant professionals. The social worker post-qualifying standards require social workers to recognise risk indicators and harm relating to sexual abuse. UKG continues to fund the Centre of Expertise on Child Sexual Abuse, including to produce resources to support school Designated Safeguarding Leads (DSL) to effectively respond to sexual abuse issues and to provide training to senior social workers and school DSLs as part of a trial run by What Works for Children's Social Care.

171. Various measures, including the publication of plans and guidance, alongside the formation of implementation groups have increased knowledge in handling serious sexual offence cases in the DGs. The National Action Plan (2019) in Wales strengthened the capacity of relevant professionals and considered evidence from the Cross-Party Group on Preventing Child Sexual Abuse. In Scotland, The National Guidance for Child Protection (2021) and the Trauma Training Programme formed in partnership with the SG aims to

support a trauma informed and responsive workforce. In NI, following the Gillen Review (2019), a Strategic Group was established to implement recommendations, some of which have been already applied.

172. Across all CDs and OTs, safeguarding training and policies are available for professionals, for example in Tristan De Cunha and Ascension. The TCI Sexual Offences Ordinance (2020) and the Children (Care and Protection) Ordinance (2015) build capacity of relevant professionals to address violence against children.

Mandatory reporting and prosecution

173. UKG invested £40m in measures to protect children from CSA and CSE (2017) and introduced reporting measures, including Sexual Harm Prevention Orders, Sexual Risk Orders and Child Abduction Warning Notices to tackle offenders. LAs have a duty to notify both the Child Safeguarding Practice Review Panel, and Ofsted, of serious incidents where a child dies or is seriously harmed.

174. In Wales, there is a statutory duty on relevant partners to report children at risk under Social Services and Wellbeing Act 2014 and the Wales Safeguarding Procedures supports practitioners to apply this legislation to safeguard children. In Scotland, guidelines stipulate that possible child abuse, neglect or exploitation concerns should always be shared with police officers or social workers. In NI, if there is reasonable cause to suspect harm, inquiries under The Children Order (1995) must be initiated.

175. In Jersey, the Children and Families Hub provide a contact point for concerns regarding violence against children, and in the IoM, the Sexual Offences and Obscene Publications Act (2021) introduced a duty to report suspected CSA to the police.

176. In the OTs, statutory reporting systems are in place between partner agencies in relation to the abuse of children, where all cases of violence are investigated, for example in Bermuda and St Helena.

Interventions in cases of child abuse, and protection of child victims and witnesses of violence

177. In UKG, the NHS England Strategic Direction for Sexual Assault and Abuse Services (2018) outlines services that ensure victims needs can be met through to adulthood. As part of the Tackling Child Sexual Abuse Strategy, the Lighthouse in London, a Barnahus model, was a pilot initiative of a child house model, which offers a holistic assessment of a child's needs and provides advocacy, medical and social care, alongside therapeutic support to children and their non-abusing parents and carers. Guidance has been published for local commissioners and service providers who are seeking to introduce similar models, including a toolkit which includes detailed practical advice and recommendations.

178. The Youth Justice and Criminal Evidence Act (1999) is supported by the revised UK Victims' Code, which ensures justice agencies are accountable for delivery of special measures, such as video-recorded interviews and intermediary help to protect child victims of crime and abuse.

179. In Wales, the Working Together to Safeguard People, Volume 7, Safeguarding Children from Child Sexual Exploitation statutory guidance is supported by the National Action Plan on preventing and responding to CSA (2019). In Scotland, a Barnahus model is being developed and legislation ensures that some child witnesses can provide pre-recorded evidence. In NI, the Gillen Review Implementation Plan developed by key partners including PSNI, and Victim Support NI outlines an approach to address the recommendations. The Victim and Witness Strategy 2021/24 includes a programme of work to better understand the needs of victims and witnesses.

180. In Jersey, a Barnahus model is being developed, and in Guernsey and Alderney a multi-agency response allows for the identification of re-victimisation.

181. In the OTs, video-recording facilities can be provided when working with child victims in Bermuda, the Falkland Islands, Pitcairn, Tristan De Cunha, Cayman Islands, BVI, and Ascension Islands.

Cyberbullying, online sexual exploitation, and abuse

182. UKG implemented measures to tackle cyberbullying, CSE, gang-related violence and knife crime against children which all have an impact on the wellbeing of children. In collaboration with Five Country governments, UKG launched the Voluntary Principles to Counter Online Child Sexual Exploitation and Abuse (2020), which outlines actions for technology firms to keep children safe on their platforms. The Online Safety Bill (2022) and The Online Harms interim code of practice protect children online and help companies take action against online CSE. The Children's Society's Prevention Programme uses a multiagency approach to tackle child criminal exploitation, CSA and CSE, Modern-Day Slavery and Human Trafficking. The Police, Crime, Sentencing and Courts Act 2022 will introduce the Serious Violence Duty and require partners to work together to formulate an evidence-based analysis of the problems associated with serious violence in a local area, which includes gang-related violence and knife crime against children.

183. In Wales, the Working Together to Safeguard People, Volume 7, Safeguarding children from CSE (2021), Enhancing Digital Resilience action plan, and anti-bullying guidance provides advice for professionals on protecting children, and responding to abuse.

184. The SG continues to work closely with UKG on its Online Safety Bill. The Respect for All (2017) guidance provides a framework for anti-bullying work; and National Guidance for Child Protection (2021) outlines how agencies should protect children.

185. In NI, the Online Safety Strategy and Action Plan, (2020) sets out actions to ensure children are safe online. The NIE carried out a consultation on a review of the law on CSE (2019) that considers legislative issues from the Marshall Report and Justice Committee Report on Justice in the 21st Century 2015. Legislative provisions to address several identified issues were carried in the Justice (Sexual Offences and Trafficking Victims) Act (Northern Ireland) 2022.

186. In Jersey, The Telecommunications and Crime Law, (2016) seeks to prevent cyberbullying with sanctions, and, in the IoM, the Sexual Offences and Obscene Publications Act (2021) strengthens existing provisions, for the protection of children from harm of sexual acts.

187. In the OTs, online bullying prevention is delivered through the school curriculum. This includes CSE training to children and professionals in the Falkland Islands; the promotion of materials on online protection in Pitcairn; and the introduction of the Criminal Code Amendment Act (2020) which strengthens measures to protect children from sexual offences in Bermuda.

Paramilitary style attacks

188. The protection of children from paramilitary style attacks and recruitment by such actors is a priority in the UK and DGs. The Contest Strategy, alongside guidance to schools on security matters (2019), works to protect children from this type of violence and provide support to schools to undertake security risk assessments and fulfil safeguarding duties. The Counterterrorism and Security Act 2015 provides a duty on public authorities to prevent children from being drawn into terrorism, and the Channel Duty Guidance (2021) sets out the duty for professionals to support all vulnerable people from being drawn into terrorism.

189. In NI the cross-Executive Tackling Paramilitary Activity, Criminality, and Organised Crime Programme provides direct service provision to young people through multi-agency projects to increase protection against the risk of paramilitary involvement and harm.

190. In UKG, following consultation the Covert Human Intelligence Source (CHIS) code of practice (2021) was revised to reflect new provisions, including that a child can only be used as a CHIS in exceptional circumstances.

191. There is no prohibition on the use of juveniles as informants in England, NIE and Wales; however, wide-ranging safeguards, including enhanced risk assessments, ensure juvenile informants are only used in exceptional circumstances.

192. The SG is considering whether measures to prevent the use of children as informants are necessary. There is no prohibition on children as informants in CDs. The OTs do not use children as informants.

Harmful practices

193. UKG strengthened the law to tackle violence against women and girls in England and Wales. This includes introducing a forced marriage offence, FGM Protection Orders (FGMPO), a new offence for failing to protect a girl from FGM, extended extra-territorial jurisdiction over FGM offences committed abroad, and an FGM mandatory reporting duty. Support, including a helpline, is available for victims of forced marriage or those at risk through the Forced Marriage Unit, which also trains police officers and social workers to consider this in safeguarding plans. UKG has followed through on its proposal for legislation, outlined in the Tackling Violence Against Women and Girls Strategy 2021, to criminalise virginity testing and ban hymen repair surgery, through the Health and Care Act 2022.

194. The WG jointly chairs the All Wales Honour-based Abuse Leadership Group which aims to prevent harmful practices, and safeguard children and adults against harmful practices. In Scotland, the FGM (Protection and Guidance) Act (2020), once commenced, will provide for FGMPO, providing protections for those at risk of FGM. In NI, FGM is illegal and a Violence Against Women's Strategy is being developed.

195. In Jersey, the Sexual Offences Law (2018) updates the definition of several sexual offences including FGM, and in the IoM the Sexual Offences and Obscene Publications Act (2021) provides for FGMPO. In the OTs, existing ordinances cover offences that include FGM, HBA and forced marriage (St Helena, Falklands Islands).

Intersex children

196. In England, the Government Equalities Office ran a call for evidence (2019) to understand the experience of medical interventions on the life experiences of individuals, including children, with intersex characteristics, which is being analysed. NHS England commissioned an independent review into gender identity services for children, due in 2023, that the WG is supporting, and reviewed evidence on early gonadal surgery on infants and children, which supported clarifications to clinical commissioning policies.

197. In Scotland, The National Scottish Differences of Sex Development Managed Clinical Network delivers high quality person-centred care to intersex children, and work is ongoing to address gaps in clinical psychology provision. In NI, major corrective surgery is not carried out on intersex children and, children are referred to health services in England, where necessary and in consultation with parents.

198. In Jersey, intersex children requiring counselling are referred to CAMHS and in IoM the Sexual Offences and Obscene Publications Act 2021 provides provision in respect to gender identity. In many OTs, surgical treatment of intersex children is not available.

Family environment

199. UKG is committed to helping parents into work, and childcare costs should not be a barrier. During the last five years UKG spent over £4bn each year on childcare, through childcare offers including Tax-Free Childcare and Employer Support Childcare. UKG provides a significant offer of childcare support, including 15 hours of universal free early

education for 3–4-year-olds, regardless of parents' employment status or income. This was extended to offer 30 hours to eligible working parents of 3–4-year-olds (2017). This £4bn is on top of support for childcare paid to Universal Credit and Working Tax Credits claimants, though these elements are calculated as part of the total Universal Credit and tax credit spend respectively and separate figures are not available.

200. To support parents to become financially resilient by moving into work and progressing in work, eligible Universal Credit claimants in England, Scotland and Wales can claim back up to 85% of their registered childcare costs each month regardless of the number of hours they work, compared to 70% of costs for those in receipt of Tax Credits.

201. UKG's £301.75m Family Hubs and Start for Life Programme (FHSFLP) will fund a network of family hubs across 75 LAs for the next 3 years. Hubs offer support to families from conception and for children of all ages (0–19 or up to 25 for those with SEND) and bring services together to improve access, and connections between families and professionals.

202. The WG provides funded part-time childcare for 2–3-year-olds through the Flying Start programme in some of the most disadvantaged areas in Wales, regardless of parents' employment status. The Childcare Offer provides funded part-time early education and childcare for 3–4-year-olds. In Scotland, annual entitlement to funded early learning childcare for 3–4-year-olds, and eligible 2-year-olds, increased to 1140 hours in 2021. In NI, a childcare Strategy is being developed with the dual aims of child development and parental employment, including an extended early education offer for children aged 3–4. Funded pre-school education provision is available for all children's parents during their immediate pre-school year.

203. Guernsey and Alderney offer 15 hours of pre-school provision to all families, subject to an income cap. In Jersey, the universal entitlement of nursery education increased to 30 hours, and the Social Security Minister has committed to introducing equality in contributory parental benefits. The IoM consulted on a new Childcare Strategy which will be published in July 2022 and legislation to introduce shared parental leave will be considered in due course.

Children deprived of a family environment

204. The State Party is committed to helping families so that, where it is in the best interests of the child, the child remains with their family.

205. In England there were 12,790 children in residential care in March 2021, up from 9,290 in 2017. Factors driving increase include changes in the needs of families and how they are responded to. UKG recognises that children in the care system should live in high-quality settings that meet their needs and keep them safe. LAs have statutory duties to provide this to children and must check that unregulated settings are suitable and meet the needs of all children. LAs are responsible for meeting the needs of children in care, including specialist care for children with complex needs. UKG is introducing national standards, registration and inspection for these settings to ensure they are high-quality, and that necessary action is taken where they are not. In England, the Children Act 1989 prevents arbitrary removal of children from their families.

206. The Care Planning, Placement and Case Review Regulations (2015) (England and Wales) outlines arrangements for LAC, and in England unregulated placements for children under 16 are banned.

207. In 2021, UKG provided LAs with £4.8bn of grant funding (until 2025) to maintain services, including children's social care, alongside an additional £200m for the Supporting Families programme, taking total planned investment to £695m over the Spending Review period. Funding is provided to enable children to 'Stay Put' with their foster family until age 21. LAs are funded to help care leavers secure accommodation, and at age 16 children are introduced to a Personal Advisor (PA), to provide practical and emotional support. Staying Close, being piloted for young people leaving children's homes, provides an enhanced support offer. Bursaries are provided for care leavers attending university or starting an apprenticeship.

208. UKG invests in training programmes, such as the Assessed and Supported Year in Employment, to provide a sufficient supply of social workers and ensure new social workers have the right skills. UKG ensures LAs have the capability to design and manage effective services through investment in leadership development programmes.

209. UKG launched the Independent Review of Children's Social Care (2021) to take a comprehensive look at what is needed to make a difference to the needs, experiences and outcomes of children supported by social care. The Review prioritised hearing the voices of children and adults with experience of children's social care. In May 2022, the Care Review published its final report. The Review's recommendations include: calling for a reset of the children's social care system so that it acts decisively in response to abuse; providing more help to families in crisis; and ensuring those in care have lifelong relationships and homes.

210. UKG's White Paper on reforming the Mental Health Act (2021) sets out proposals for how patients, including children, will have treatment plans that outline their preferences, enabling them to nominate who they want involved in their care.

211. In Wales, there were 481 children in residential care in March 2020, up from 314 in 2017. The Welsh Government Programme (2021-26) maintains a focus on prevention and intervention to support children remaining with their families. Flying Start and Families First funding now forms part of the Children and Communities Grant. In 2019/20 LAs benefited from over £76m in funding for Flying Start and £38m for Families First; early intervention programmes that build more resilient families. By 2024/25 the Children and Communities Grant will be worth more than £181m. In 2021, the WG funded £48m to support social care, including children, and launched Foster Wales to improve the supply of well supported foster placements to meet the needs of LAC. Social Care Wales is developing a workforce plan to increase qualified social workers. The WG provide additional funding to extend PA to care leavers aged 21-25 and intends to legislate to ensure all care leavers are entitled to a PA up to age 25.

212. In Scotland, there were 1,286 children in residential care in July 2021, down from 1,509 in 2017. In 2017, SG commissioned the Independent Care Review to consider what needs to change to ensure Scotland's children grow up loved, safe and respected so they can reach their full potential. The Promise implementation plan sets out the SG actions to Keep the Promise for care experienced children, and their families. LAs provide a rights and relationship social work service, enabling consistency of social workers and relationship-based contact between children, families, and social workers. Alternative care placements in are regulated by the Care Inspectorate. Children and families can make complaints about care placements through the LA and/or the Care Inspectorate. The SG provides continuing care and aftercare for eligible care leavers to age 21 and 26 respectively.

213. In NI, there were 174 children in residential care in March 2021, up from 150 in 2017. The Independent Review of Children's Social Care Services (2022) will be a fundamental examination of children's social care, with a focus on quality, equity, resilience, and sustainability, to support children in and out of care. The NIE sets a performance objective that secures earlier permanence for LAC and offers greater stability for children in care. Children's needs are assessed up to the age of 21 and beyond if they are in education, and a PA provides care leavers with support. Alongside this, A Life Deserved: Caring for Children, the new Strategy for Looked After Children and care experienced young people, (2021) makes more than 60 commitments to deliver improvements for these children.

214. The Adoption and Children Act (NI) 2022 is consistent with international human rights requirements. Once implemented, the Act will: place children at the centre of the adoption process, cut unnecessary delay and uncertainty for children, and update the legal framework for adoption enabling more people to consider adoption.

215. The CDs are committed to keeping families together. In Jersey, a children and families hub, established in 2020, acts as a single point of contact for families to ensure access to early help services. The Government Plan 2021-2024 increased funding to provide intensive fostering care for children with significant needs, reducing pressure on residential provision and preventing unregulated care. Legislation introduced new Ministerial duties, and responsibilities for care leavers up to the age 25, and the largest ever recruitment campaign for social workers was launched in 2018.

216. Guernsey and Alderney developed a specialist foster care scheme to provide placements for children with complex needs and disabilities. The IoM has comprehensive procedures in place to support children in care, including where alternative arrangements are necessary.

Health and health services

217. Reducing health inequality is a central ambition for UKG and has been key in response to the pandemic, including through the offer of vaccinations to eligible children. Alongside access to the provision of the NHS, the Healthy Child Programme seeks to eliminate health inequalities through a prevention public health programme, providing interventions to support health and wellbeing for children and families. UKG is committed to modernising The Healthy Child Programme, over the next few years, to ensure it addresses the impact of COVID and is current in terms of evidence and context. UKG introduced the Botulinum and Cosmetic Fillers (Children) Bill 2021 to prohibit specific cosmetic procedures being performed on children under 18, in particular girls. UKG holds the license for Family Nurse Partnership, an intensive evidence-based home visiting programme, providing support for vulnerable young mothers and their children.

218. A Healthier Wales Strategy (2019) sets out a long-term plan for health and social care putting prevention of ill health at the heart of services, including supporting children to stay well. The SG is committing to long-term, preventative local action to reduce health inequalities. Initiatives such as ‘Baby Box’, which provides essential items for new-borns, have sought to address deprivation. In NI, Making Life Better provides the framework for public health to support individuals and families to lead healthy lives. In Jersey, there is a Health Access Scheme (2020) for low-income families to reduce barriers to accessing primary care for children.

Malnutrition and obesity

219. UKG recognises that obesity is associated with poor psychological and emotional health, and children expressed concerns about levels of obesity during UKG’s consultation. In England, 30% of children aged 2–15 were overweight or obese in 2019, similar to 2017.

220. UKG’s objective is to halve childhood obesity by 2030, and measures have been introduced to address malnutrition, and obesity among children including FSM and the Soft Drinks Industry Levy (2018). A sugar reduction programme (2016) challenged food and drink industries to reduce sugar across products. Calorie reduction guidance (2020), and large out-of-home sector businesses are since April 2022, required by law to provide calorie labels on food they sell. Campaigns such as Better Health, including Start for Life encourage parents and children to eat better and move more.

221. In Wales, an estimated 18% of children aged 11–16 were overweight or obese in 2017, based on self-reported height and weight figures.³ In Wales, the Healthy Weight: Healthy Wales strategy (2019) targets preventing obesity, underpinned by extensive measures focused on children and families, including a school milk scheme and breakfast allowance for eligible children.

222. In Scotland, an estimated 30% of 2–15-year-olds were overweight or obese in 2019, up from 26% in 2017. The SG launched The Diet and Healthy Weight Delivery Plan (2018) which outlines actions to restrict the promotion of foods high in fat, sugar, or salt. The publication of National Standards (2019) supports the delivery of weight management services. The 2020 School Food and Drink Regulations ensure school meals provide children with appropriate nutrients.

223. In NI, an estimated 25% of 2–15-year-olds were overweight or obese in 2019/20, similar to 2017/18 (27%). A Fitter Future for All provides the framework for addressing obesity and included a public consultation (2020). The updated nutritional standards for

³ Data should be treated with caution due to high levels of nonresponse.

school food, have been agreed, and consulted on, and implementation will be subject to funding.

224. Jersey published the Food and Nutrition Strategy to promote healthy eating, and TCI is implementing a school nutrition programme.

Breastfeeding

225. The State Party recognises that breastfeeding provides the best start in life. UKG has existing legislation in the form of overarching Food for Specific Groups legislation (Regulation No 609/2013) and Commission Delegated Regulation (EU) 2016/127 as retained by the Nutrition (Amendment etc.) (EU Exit) Regulations 2019 and the Nutrition (Amendment etc.) (EU Exit) Regulations 2020 which regulates the labelling and marketing of infant formulae. The International Code on the Marketing of Breastmilk Substitutes is underpinned by this legislation. UKG recently commissioned a new Infant Feeding Survey which will provide the means to assess the impact of the actions UKG is taking to support infant feeding.

226. Information on the importance of breastfeeding is available through UNICEF Baby Friendly Initiative, the NHS website, and the National Breastfeeding Helpline. PHE leads England's Annual National Breastfeeding Celebration and worked with UNICEF to develop a toolkit to support commissioning of interventions to improve low breastfeeding rates. UKG's FHSFLP includes £50m for breastfeeding services in 75 LAs.

227. In Wales, the Breast-Feeding Action Plan (2019) and NI's Breastfeeding Strategy (2013–2023) 'Pregnancy Book' and 'Birth to Five' provide national frameworks and promotional materials to improve information about feeding choice. The SG commissioned The Scottish Maternal and Infant Nutrition survey (2018) to inform the improvement programme, through a £6m investment, and launched a national Breastfeeding Friendly Scheme (2019) to continue to normalise breastfeeding. Jersey achieved accreditation through the UNICEF Baby Friendly initiative, and Guernsey and Alderney launched the Breastfeeding Welcome Scheme.

Safe abortion NI

228. In NI, the Abortion (No 2) Regulations 2020, provide for abortion services, and the Abortion Services Directions came into force in July 2021, setting a deadline for the Department of Health to make abortion services available no later than 31 March 2022. This deadline has not been met and the Secretary of State in NI has instructed officials to prepare work on further regulations to ensure services are commissioned. These regulations will be made directly following the May 2022 Assembly election.

Mental health

229. UKG understands that the pandemic and the associated measures, such as school closures, have impacted on the mental wellbeing of children. In 2021, the NHS conducted a Mental Health of Children and Young People Survey to improve data collection and explore mental health trends during the pandemic. In England, the survey found that the rate of probable mental health conditions among children 6–16 years old was 17.4%, up from 11.6% in 2017. UKG is committed to reducing waiting times and improving outcomes in mental health support for children.

230. In England, Transforming CYP Mental Health Provision: Green Paper (2017) and the NHS Long Term Plan (2019) outline actions to improve mental health services. Implementing the proposals of the Green Paper will improve prevention and early intervention in schools, helping prevent poor mental wellbeing developing into mental ill health. The scope of the National Suicide Prevention Strategy (2012) was expanded in 2017 to include self-harm, and funding continues to be provided to the Multi-Centre Study of Self-

harm for analysis of trends. UKG recognises it needs to do more to understand why young people, in particular groups, self-harm.

231. UKG has taken steps to end the use of adult psychiatric wards for children. Such admissions are permissible only in exceptional circumstances. The Mental Health Act (Places of Safety) Regulations (2017) made it unlawful to use police stations as places of safety for under 18s.

232. The FHSFLP includes £100m for perinatal mental health and parent-infant relationship support services for 75 LAs.

233. In April 2022, UKG opened a call for evidence, that includes children, with lived experience of mental ill-health, to share views and inform a new 10-year mental health plan, that will close in July 2022.

234. In Wales, the Together for Mental Health strategy outlines measures to improve child mental health services. Protection of, and support for, children's mental health is prioritised through a whole school approach. Better access to low level mental health support has been provided through the development of a mental health toolkit, and increased school counselling. The Suicide and Self-harm guidance provides a source for professionals on best practice and signposting. Improvements to crisis services have focused on increasing the range of psychological therapies and support for the workforce.

235. In Scotland, the Admission to adult mental health wards for under 18s guidance ensures mental health services meet children's needs and consider their views. Research on the worsening mental wellbeing of girls (2019) has been published. The Mental Health: Transition and Recovery Plan, supported by £120m responds to the mental health effects of the pandemic and enabled the delivery of local mental health support, through services like the CAMHS. The publication of mental health training and guidance (2021), alongside the creation of school counsellors ensures children have access to mental health support in schools.

236. The Mental Health Strategy in NI outlines actions to: promote emotional development, including self-harm; increase funding for CAMHS and school counsellors, and develop crisis services. The £10m Mental Health Support fund (2021) supports the development of therapeutic community-based services, such as after-care support. All healthcare trusts have protocols to manage admissions of children to adult wards and the Mental Capacity Act ensure age-appropriate accommodation is available.

237. In Jersey, an online service enables children to discuss self-harm anonymously. An early help offer is being developed through the Children and Families Hub, alongside counselling, including a Youth Enquiry Service and My Time 4 Young Carers. In Guernsey and Alderney, the Youth Commission provides community funded support for children including LGBTQ+ and the early help approach to mental health in secondary schools (2021) provides targeted interventions for children. The CDs have minimal numbers of under 18s detained in police cells and existing policy states that children should not be treated in an adult psychiatric ward.

238. TCI is embarking on a Global School-based Student Health Survey to understand children's experiences, and Community Psychiatric Nurses provide counselling in the Falkland Islands. The Mental Health Ordinance 2015, in most OTs, ensure children with mental illnesses are treated in outpatient centres and not institutionalised. Most OTs do not report high levels of self-harm in children.

Attention deficit hyperactivity disorders (ADHD)

239. In England, diagnosis of attention deficit disorders should be made in line with National Institute for Health and Care Excellence (NICE) guidelines, which is considered by Clinical Commissioning Groups. The National Institute for Health Research spent under £9m on research into ADHD, over the last five financial years, including non-pharmacological interventions delivered in schools and the development of computerised parenting interventions.

240. The WG commissioned Swansea University to analyse prescribing data, and in Scotland, the Psychological Therapies ‘Matrix’ guide (2021) supports the delivery of evidence-based psychological therapies, including ADHD. The Department of Health in NI is working to improve the quality and accessibility of assessment and treatment for children with ADHD. In Jersey, prescribing is administered in line with NICE guidance. In St Helena and the Ascension Islands specialist input is sought to diagnose ADHD.

Air pollution

241. UKG is aware of the impact poor air quality has on children’s health, and data is available to inform the public about the effect of pollution. UKG’s Clean Air Strategy (2019), outlines comprehensive actions for dealing with all sources of air pollution. PHE guidance provides actions to reduce air pollution and facilitated masterclasses on air quality for professionals.

242. The WG has proposed to introduce a 20mph speed limit on restricted roads and launched a children’s competition to design a road sign to ensure drivers comply with reduced speed limits. Cleaner Air for Scotland 2, outlines actions to deliver further air quality improvements in the next five years. The NIE approved the Climate Change Bill in June 2021. The Department for Agriculture, Environment and Rural Affairs is leading the multi-decade Green Growth Strategy for tackling climate change.

243. Jersey published air quality resources for children, and Guernsey implemented an Air Pollution Ordinance. In Falkland Islands, air pollution will be considered in the development of an Environment Strategy, and the Environmental Protection Ordinance is in place in St Helena (2016).

Standard of living

244. UKG monitors many different aspects of poverty, including four statutory measures of relative income, absolute income, combined low income and material deprivation and persistent poverty. The yearly Household Below Average Income statistics are published on gov.uk. In 2020/21, there were 1.2m fewer people in absolute poverty before housing costs than in 2009/10, including 200,000 fewer children.

245. UKG is committed to a sustainable, long-term approach to tackling child poverty and supporting people on low incomes. In 2022/23 UKG will spend over £108bn on welfare support for people of working age. With record vacancies across the UK, the focus is on supporting people into work, and progress at work. This approach is based on clear evidence about the importance of employment, particularly where it is full-time, in substantially reducing the risks of poverty. The latest available data on work poverty shows that in 2019/20, there was only a 3% chance of children being in poverty (absolute, before housing costs) where both parents worked full-time compared with 42% where one or more parents in a couple was in part-time work.

246. UKG is committed to supporting people from all backgrounds, including families from ethnic minorities, to move into work. A national offer of support ensures that no matter where they live or what background they come from, all customers receive the help they need, when they need it. To support disabled children, UKG has increased the rate of Disability Living Allowance (DLA) by over £150 per month since 2010 and is spending more than ever on child DLA. Child maintenance can play an effective role in enhancing the life outcomes of children in separated families. In the 12 months up to December 2021, just over £1bn was arranged for the benefit of children through the Child Maintenance Service Direct Pay and Collect & Pay service. UKG recognises that some people require additional support due to global rising cost of living pressures and £1bn has been allocated to support households with essential costs across in 2021/22–2022/23. £750m was committed to tackle homelessness and rough sleeping in 2021, and the Housing Act 1996 and the Children’s Act 1989 ensures that children have access to adequate accommodation.

247. In Wales, the Child Poverty, Income Maximisation Plan helps to; maximise the incomes of families in poverty; reduce essential living costs; and provide support to build financial resilience. In 2022, the WG committed £380m to help mitigate the impact of the cost-of-living crisis. Over 18,000 people been supported into emergency temporary accommodation since March 2020, and over £190m of funding was allocated for housing support and homelessness (2022/23).

248. In Scotland, almost £2.5bn was invested to support low-income households to address child poverty (2020-21). The third annual Tackling Child Poverty report outlines actions SG has taken. User research informed the development of the Child Disability Payment, Child Winter Heating Assistance, and the Scottish Child Payment which will be reviewed through the Tackling Child Poverty Delivery Plan. The Homeless Persons (Unsuitable Accommodation) Order (2014) helps ensure all households, do not stay in unsuitable accommodation.

249. In NI, work is underway on an Anti-Poverty Strategy that will include proposals, subject to NIE approval, on child poverty.

250. In Jersey, the Children and Families Hub provides a mechanism to identify the impact of unmet need on children and families. The Safeguarding Act 2018, in IoM, requires its Independent Safeguarding Board to promote children's welfare, which encompasses accommodation.

251. In St Helena, child poverty is addressed through social security, and all families facing homelessness are given support. The BVI government provides support with rent to alleviate financial hardship on households.

NI temporary accommodation

252. The NI Housing Executive has statutory responsibility to tackle homelessness and received over £25m (2021/22) as part of core homelessness funding including the COVID response. NI is committed to understanding the prolonged placement of children in temporary accommodation through the Homelessness Strategy 2022/27, and commissioned research on experiences of youth homelessness. The Supporting People Programme includes the provision of temporary accommodation units, specific to young people, that can be used to help reduce placement length, sustain the tenancy and/or in situations, prevent homelessness.

Impact of climate change on the rights of the child

253. UKG's consultation with children demonstrated that climate change is important to children and their future.

- "If they [government] listen to young people there would be more climate policies and action" UKG consultation.

254. The UK was the first country to introduce a legally binding, long-term emissions reduction target and UKG is committed to increasing global climate action through its COP26 Presidency. The Net Zero Strategy (2021) and sector-specific strategies outline measures the UK will take to transition to net zero by 2050. Since the Ten Point Plan was published (2020), UKG mobilised £26bn of government capital investment, and will leverage up to £100bn of private investment by 2030, accelerating the path to net zero.

255. Throughout the development of a climate change strategy, and events at COP26, UKG worked with children through organisations such as Teach the Future, MOCK COP, the UK Sustainable Schools Network, and the Green Skills Youth Council. UKG set up a youth panel reflecting children's voices to incorporate into the strategy's development.

256. UKG's Sustainability and Climate Change Strategy, launched in April 2022, includes two major initiatives; the National Education Nature Park and the Climate Leaders Award, that will encourage children from all backgrounds to take climate action, and feel empowered through practical positive action.

257. The WG has a net zero target and published Net Zero Wales plan (2021–2025), which includes environmental education programmes to ensure young voices are heard. Scotland has a framework of statutory climate change targets under the Climate Change (Scotland) Act (2009). Participation of children is a key theme of the Scottish Public Engagement Strategy for Climate Change. The NIE is leading a multi-decade Green Growth Strategy for tackling climate change.

258. In Jersey, the government engaged with children on the Carbon Neutral Strategy to reduce emissions, as did the IoM government on the Climate Change Act 2021. In Guernsey and Alderney governments engaged with the Youth Forum to enable participation on policies.

259. In St Helena, the Environmental Ordinance (2016) requires the Chief Environment Officer to monitor emissions, and children were involved on the Climate Change Policy. The Falkland Islands held a consultation with children on their Environment Strategy (2020).

Education

260. The State Party has conducted considerable work to ensure equal access to education.

261. UKG is committed to providing quality education for all children, and during consultation, children consistently maintained that education is a priority for their future.

- “Education is extremely important, and everyone should have a chance at being educated” UKG consultation.

262. The UKG Schools White Paper (2022) outlines changes to how schools are managed and run, the length of the school week, and the standards pupils should achieve in English and Maths to ensure equality in education. In England, the Pupil Premium (2011) provided schools with over £20bn, over 10 years, to improve education and attainment outcomes for disadvantaged pupils including LAC, Gypsy, Roma, and Travellers of Irish heritage. Almost £5bn has been committed to support education recovery (2020/21), which included the Recovery Premium (£300m in 2020/21, extended by £1bn for 2022/23–23/24). This will significantly help close gaps in education outcomes resulting from COVID. Virtual Headteachers have made a significant impact in promoting the educational achievement and reducing exclusions of all LAC. Their role was extended in 2021.

263. The WG provided £17.8m to schools and colleges to support Additional Learning Needs in 2020/21, and £9.8m was targeted for pressures from the pandemic. The Regional Education Consortia administered a £5m grant in collaboration with LAs and schools, for LAC.

264. Scotland committed to investing £1bn over the parliamentary term to close the attainment gap and support education recovery due to COVID. The Additional Support for Learning Action Plan sets out measures to improve learning experiences and outcomes for children with additional support needs. The NIE endorsed the report ‘A Fair Start’ (2021) on access to education, which includes improvements for children’s outcomes.

265. In Jersey, Ministers have committed to ‘Put Children First’ in the Common Strategic Policy (2018-22), to ensure children have an equal opportunity to fulfil their potential. The report on The Big Education Conversation, published during COVID, recognises inequalities that some children encounter, which the Education Reform Programme seeks to address. Guernsey and Alderney consulted with the Youth Forum on their 2020 Education Strategy.

266. In St Helena, attainment of children is monitored and interventions to support disadvantaged children are used where appropriate.

Exclusions

267. The State Party is clear that illegal exclusions are unacceptable, and guidance, in all jurisdictions, outlines that permanent exclusions should only be used as a last resort.

268. In England, following the Timpson Review, a programme of work was implemented, including a public consultation with children on the revised exclusions guidance (2022), alongside a Behaviour Hubs programme to improve schools' behaviour culture. The revised guidance will provide further clarity that unofficial exclusions and removing a pupil from the school roll are unacceptable, alongside information on legal aid and the right to appeal exclusions through the Governing Body, Independent Review Panel and/or SEND Tribunal. Data on permanent exclusions is published annually.

269. England, Wales and Scotland provide detailed guidance for schools on behaviour management, and the right of appeal for parents and children. Scotland publish the national exclusion rate biannually and NI are reviewing the school exclusion arrangements including the appeal system. In Guernsey and Alderney, exclusions policy does not allow for permanent exclusions, and exclusions can be appealed through a complaints procedure. In Jersey, exclusion data is reviewed monthly, and permanent exclusions are rare. In the IoM, an excluded pupil must be placed in an alternative school and exclusions are monitored. In the OTs, school policies promote positive behaviour culture, and exclusions are rare.

Bullying

270. The State Party recognises that bullying can have a serious effect on children's wellbeing, and research (2015) shows that children with SEND are more likely to experience bullying.

271. All schools, in England, are required to have a behaviour policy to prevent bullying and support anti-bullying measures. UKG supported schools in addressing homophobic, biphobic, and transphobic bullying, and funded five organisations, (£1m in total) to support schools and colleges to tackle all forms of bullying.

272. In Wales, the 'Rights, respect, equality' provides statutory guidance for governing bodies, LAs, families and children to prevent bullying. The WG aims to update this guidance by July, in line with the Anti-Racist Action Plan, addressing protected characteristics.

273. In Scotland the 'Respect for All' (2017) guidance promotes anti-bullying approaches, referencing prejudice-based bullying for protected characteristics. The SG has published guidance to support transgender pupils.

274. The NIE launched a Children's Emotional Health Framework and Implementation Plan that enhances early intervention for pupils, including bullying.

275. All Guernsey and Alderney schools have a mental health lead responsible for wellbeing and preventing bullying. In Bermuda, children have access to an anti-bullying curriculum and student-teacher engagement on wellbeing.

Relationships, Sex and Health Education (RSHE)

276. In England, mandatory RSHE for secondary pupils, including sexual orientation and gender identity, introduced in 2020 was informed by a consultation, including children. Human rights education forms part of the mandatory citizenship curriculum for 14–15-year-olds, and UKG encourages primary schools and academies to teach citizenship to ensure children engage with their rights.

277. The new Curriculum for Wales, (2022) includes a mandatory theme on Relationships and Sexuality Education (RSE). A duty has been placed on education leaders to promote awareness of the UNCRC. Guidance on Relationships, Sexual Health, and Parenthood Education (2014) is an integral part of Scotland's Curriculum for Excellence and includes reference to children's rights. In NI, RSE is addressed within Personal Development and Mutual Understanding (PMDU) in primary schools and Learning for Life and Work (LLW) in post-primary. Human rights education is addressed in PDMU; Local Global Citizenship (LGC) and LLW. Initial teacher education prepares teachers to recognise the importance of human rights when delivering the curriculum.

278. The Jersey curriculum covers RSHE, and aims are linked with the Convention. Guernsey and Alderney integrate human rights education through UNICEF's RRSA and Personal Social Health and Economic (PSHE) education, and in the IoM, schools promote children's rights through citizenship programmes.

279. In the OTs, curriculums deliver the teaching of PSHE and Life Skill lessons, which inform children of their rights.

Disabled children

280. The State Party's ambition is for every child is to have access to inclusive education, no matter what challenges they face.

281. In England and Wales, the Children and Families Act 2014 and the Equality Act 2010 provide protection against discrimination for disabled children and imposes duties on schools to make reasonable adjustments. UKG launched the SEND Review (2019) recognising that despite examples of good practice, the experiences of children are poor. Parents and carers are frustrated at having to navigate a complex system, demonstrated during UKG's consultation with children.

- "Too many pressures on services, standards to meet to prove they [government] are doing well, means they can't focus on providing good services to children." UKG consultation.

282. UKG listened to a range of people, including children, and their families during the SEND review. The SEND Green Paper (March 2022) outlines proposed reforms to SEND and Alternative Provision, and consultation closes in July. Alongside this, the National Disability Strategy (2021) outlines actions UKG will take to improve the everyday lives of disabled people, including children.

283. In Wales, the Additional Learning Needs (ALN) and Education Tribunal (Wales) Act 2018 is part of a programme of education reform aimed at creating a system where children are supported to participate fully in mainstream education.

284. Scottish legislation requires education authorities to identify, provide for, and review the additional support needs of their pupils in a mainstream school unless specific exceptions apply.

285. In NI, an Area Planning Strategy for Special Schools and Specialist Provision in mainstream schools is under development (the Special Education Strategic Area Plan) which will align to the Strategic Area Plan, with both covering planning provision from 2022–2027.

286. The National Association of SEND conducted a review in Guernsey and Alderney to identify effective practice. All recommendations were agreed, and implementation continues to be a priority in 2022.

Asylum-seeking, refugee and migrant children

287. UKG is committed to ensuring that the best interests of all children are a primary consideration in any decision that affects them. Following the Supreme Court judgment in *Kiarie and Byndloss* [2017] UKSC 42, the use of the power to certify human rights claims under section 94B has been paused. Whilst a human rights claim can still be refused, applicants are entitled to appeal such decisions from within the UK instead of being deported.

288. The family reunion policy allows thousands of refugees to reunite with their family, in accordance with UKG's international obligations. This has continued since the withdrawal from the Dublin III Regulation, which EU Member States approach with different restrictions.

289. Across UKG, all UASC with an active application or appeal are fully entitled to free NHS care and are entitled to the same level of support from their LA as all looked after children in England and Wales. UASC must be provided with access to education, healthcare, legal support, and accommodation. UKG is exploring the development of case working hubs

to build expertise in case history, improve consistency and the speed of asylum application decisions for children. This includes closely working with the Single Competent Authority to improve the quality of decision making of children's asylum decisions. Since 2020, UKG has worked with 51 LAs to deliver a remote interviewing process, to reduce delays and the numbers of children who have an outstanding claim. It is anticipated that more LAs will sign up in the future.

290. Statutory guidance for LAs and professionals 'Care of Unaccompanied Migrant Children and Child Victims of Modern Slavery' (2017) outlines the importance of ensuring children have opportunities to make their feelings known. When a UASC becomes looked after by the LA, a social worker and an independent reviewing officer are allocated, who will develop a care plan and assess the child's individual needs. UASC must have access to an independent advocate responsible for accurately representing the child's feelings. In Wales, the Social Services and Wellbeing (Wales) Act 2014 provides a statutory right to advocacy for looked after children, including UASC. Independent Child Trafficking Guardians (ICTGs) are an additional source of advice and support for trafficked children, irrespective of nationality. The ICTG service was expanded to cover two thirds, in total, of all LAs in England and Wales (2021), and the Scottish Guardianship Service will become available in all LAs in Scotland. UKG will continue to review how the needs of individual children are best met at a local level.

291. UKG does not permit indefinite detention of asylum-seeking and migrant children. UASC under 18 may be detained for short periods of time in very exceptional circumstances, which are set out in the published detention policy. Under section 5 of the Immigration Act 2014, a UASC being detained for removal can only be detained for a maximum of 24 hours, and not in an immigration removal centre. It aims to help all people seeking sanctuary to integrate well with communities in Wales. The decision-making process must take account of the duty to safeguard and promote children's welfare. There are very serious safeguarding risks if individuals over 18 are treated as children and placed in settings, including schools, with children. UKG is bringing forward plans to introduce a National Age Assessment Board with responsibility for setting out requirements and criteria to assess age, supported by the recent scientific technology. The reforms will overhaul the process for determining the age of individuals.

292. In June, New Immigration Rules come into force which mean a person arriving as a child, or born in the UK, but without immigration status at 18 can now qualify for settlement after five years. In addition, if under 18, a child born in the UK who has lived in the UK continuously for 7 years can qualify for immediate settlement.

293. Scotland introduced legislation under Section 12 of the Trafficking and Exploitation (Scotland) Act 2015 to improve procedures for age-assessments. This requires that, where the age of a victim of human trafficking is uncertain, but there are reasonable grounds to believe they are under 18, relevant authorities must presume the victim is a child for the purpose of receiving immediate age-appropriate support until their age is formally established. In NI, decisions to undertake age assessments are based on multi-disciplinary discussions and only undertaken where there is significant evidence suggesting the stated age may be incorrect.

Administration of child justice

294. The State Party strives to protect all children, no matter what situation they find themselves in, and custody should always be a last resort for children.

295. UKG has no plans to raise the minimum age of criminal responsibility in England and Wales and believes that children aged 10 can differentiate between bad behaviour and serious wrongdoing. Setting the age of criminal responsibility at 10 allows for early intervention in a child's life, with the aim of preventing subsequent offending. The age and maturity of a child is always considered when assessing the most appropriate response to offending, this will not always be prosecution. In December 2021, Scotland raised the age of criminal responsibility to 12, and NI's current Minister of Justice is supportive of increasing the age

of criminal responsibility from 10. CDs and OTs have no plans to raise the age of criminal responsibility and it is rare for a child under the age of 14 to be investigated or prosecuted.

296. In England and Wales, The Youth Custody Service (YCS) established in 2017 is responsible for the running of sites across youth secure estate and creates a safe environment that provides support for all children in custody between 10–17. Sentencing powers in England and Wales are determined by the offender's age at the time of conviction. In most cases, where a child turns 18 after an offence is committed, but before conviction, they will be tried in an adult court. Sentencing guidelines state that courts should use the sentence that would have been given at the time the offence was committed, as a starting point. Youth and maturity continue to inform sentencing decisions even after the offender turns 18.

297. In England and Wales, some youth establishments exist on the same sites as adults, but children and adults are always kept separate from one another. In Scotland, Section 52 of the Criminal Justice (Scotland) Act 2016 requires police keep a child in custody apart from any adult who is officially accused of an offence, unless there are child welfare reasons to the contrary. Children in NI are never held in custody alongside adults, and any child in custody is accommodated within the Juvenile Justice Centre. The NI Prison Service recently introduced a policy enabling mothers to apply to have their babies in prison with them under Rule 92 of the Prison and Young Offenders' Centre Rules 1995. A facility has been established to specifically house mothers and babies. CDs and OTs prohibit children, wherever possible, from being detained with adults. In Guernsey and Alderney, children detained in youth detention are accommodated, separately from adults. In BVI, children are kept separated from adults, if not considered in the child's best interests and in Anguilla, the Child Justice Act prohibits children being detained with adults.

298. In England and Wales, UKG has no plans to abolish life imprisonment as a sentencing option for children who committed certain offences when under 18. Life sentences for children are rare and only given for the most serious offences. The length of a custodial sentence must be commensurate with the seriousness of the offence and the court will always consider the needs of the child.

299. In January 2022, the Scottish Sentencing Council guidelines on the sentencing of individuals under 25 came into effect, and in NI any child convicted of an offence under 18 shall not be sentenced to life imprisonment, at the time of offence. CDs and OTs each have specific provisions for sentencing children under 18. Jersey retains the capacity to detain an individual if they commit an offence with a sentence of life imprisonment while under 18. In the Falkland Islands, a person aged 15 to 17 years at the date of conviction cannot be sentenced to detention for a period exceeding 24 months.

300. England and Wales recognise the varying needs of children in the youth justice system (YJS). When a child gets into contact with the YJS, the local YOTs are the main source of support for a child and family. In England and Wales, legal aid for criminal proceedings is available free of charge for those under 18. The court ensures that children understand the process by making adjustments to hearings. Special measures exist in youth courts, such as the right to anonymity and specially trained magistrates, to protect and assist vulnerable children.

301. In Scotland, the Youth Justice Vision (2021), includes a priority around ensuring that the experience for children in the Criminal Justice System (CJS) is meaningful, educates, improves, and upholds their rights. In NI, Registered Intermediaries (communication specialists) are appointed to assist vulnerable children to give their best evidence. Children accused of crimes in CDs and OTs have access to legal representation which can be provided free of charge.

302. In England, the Review of Custodial Remand for Children (2022) made several findings, noting that 'The number of children on custodial remand and the overall number of remand episodes have fallen significantly over the last decade.' The Review concluded that 'engagement with partners across the system shows evidence of careful consideration of remand decisions and significant efforts to ensure viable alternatives to custodial remand are available.' UKG introduced proposals through the Police, Crime, Sentencing and Courts Bill 2021 to tighten the tests the courts must satisfy to remand children into custody (England and

Wales). The new rules will require the court to record their rationale for remand decisions affecting children.

303. The SG committed to reducing and ending placements of under 18s in Young Offenders Institutions by 2024 (Youth Justice Vision). NI intend to legislate at the earliest opportunity to strengthen bail and remand legislation to ensure custody is a last resort. In the CDs and OTs children are placed in custody as a last resort, and there is minimal representation of children in custody belonging to ethnic minority groups.

304. In UKG, ethnic disparity within the justice system is a serious concern and more needs to be done to better understand the drivers of disparity. Following the Lammy Review (2017), the Youth Justice Board (YJB) published their evaluation of their ethnic disproportionality toolkit. The YJB's recent research into the drivers of ethnic disparity in remand and sentencing outcomes informed the review of the use of custodial remand for children.

305. Authorities in England and Wales are clear that separation should only be used as a last resort. Following Her Majesty's Inspector of Prisons' Thematic Review on Separation of Children in Youth Offender Institutions, England and Wales established a taskforce to address separation. The report (2020) made recommendations including developing a new system of separation, and a policy framework that was published in April 2022. In Scotland, segregation in secure care should only occur when other appropriate measures have been unsuccessful. When the period of segregation ends, the young person must be given the opportunity to comment on the situation. In NI, single separation may be used when it is in the best interests of a child or as part of an overall behaviour strategy to defuse any of the incidents specified under the Juvenile Justice Centre Rules (2008). In Scotland and NI, no children are kept in solitary confinement. In the CDs, segregation is only used as a last resort, and the few OTs that do have child detention facilities, only use segregation in exceptional circumstances.

306. UKG is clear that high quality, flexible education, and health services are vital for children in custody to enable them to participate in purposeful activity upon release. The Secure School at Medway will be run by child-focused providers, providing integrated education, health, care, and physical activity. All children in a secure estate receive an evidence-based, validated health assessment tool that screens for physical and mental health, substance misuse, and neuro-disability. Steps are taken to support the child once assessment is received. In Scotland, a child entering secure accommodation, is initially placed in a unit where their needs, including health, vulnerability and strengths, are assessed. In NI a number of legislative requirements and standards exist to ensure that children in detention have access to education and health services. In the CDs, children are seen by healthcare staff as soon as possible after entering custody. In Guernsey and Alderney, a comprehensive assessment on physical and mental wellbeing is being undertaken, and in Jersey children placed are involved in developing an individual care plan, which considers their holistic needs. Every child will receive a mental health and emotional wellbeing screening and treatment plan if appropriate. Most of the OTs do not have child detention facilities, however all children held in detention continue to have a right to education.

307. In England and Wales, the governments are taking comprehensive steps to eradicate all forms of abuse and act promptly when abuse is suspected, reported, or proven. In response to the Independent Inquiry into Child Sexual Abuse, the Youth Custody Service updated the mandatory safeguarding training for all frontline staff, to ensure appropriate action is taken and cases of alleged or suspected abuse or harm are investigated, including sexual abuse, reported by or on behalf of children in the youth justice system. The Statutory Guidance Keeping Children Safe in Secure Settings is being developed to ensure professionals working in a secure setting understand their safeguarding responsibilities.

Optional Protocol on the sale of children, child prostitution and child pornography

308. UKG recognises that sexual abuse has a devastating impact on children's lives and strives to protect all children from CSA. The UK ratified the Lanzarote Convention (2011) which ensures UKG takes robust action, through greater information sharing and

international cooperation with 43 countries, to tackle sexual violence and child abuse. The Tackling CSA Strategy (2021) outlines concrete steps for preventing, tackling, and responding to CSA across UKG.

309. In 2021, National Referral Mechanism (NRM) pilots were launched to test devolving responsibility of decisions from UKG to LAs, for 12 months, (England, Scotland and Wales). Pilots will test whether LAs can determine and identify if a child is a victim of modern slavery within existing multiagency safeguarding structures, responding to the Concluding Observation.

310. The 2015 Modern Slavery Act provides enhanced protection for victims and increased maximum sentences for slavery and human trafficking offences in recognition of the seriousness of these crimes. In 2021, UKG announced a review of the 2014 Modern Slavery Strategy, to build on existing work. Officials will consider the lived experience of individuals with experience of modern slavery in the coming months to inform the review. The Independent Child Trafficking Guardians Service (ICTG) offers guidance for children exploited through trafficking and/ or modern slavery. In England and Wales, governments introduced ICTG to two thirds of LAs through a staggered approach with staged evaluations (2021).

311. UKG is committed to ensuring the criminal justice system (CJS) recognises child exploitation and responds appropriately. The Modern Slavery Act Section 45 provides a statutory defence to protect child victims that have committed a crime. Within the police and CJS, there has been a cultural shift towards treating children that have been exploited as victims, rather than offenders. The College of Policing developed training on vulnerable victims presenting as suspects which supported professionals to protect the rights of child victims.

312. The WG issued a National Action Plan on preventing and responding to CSA which includes robust actions to tackle CSE and harmful sexual behaviour.

313. In Scotland, the Human Trafficking and Exploitation (Scotland) Act 2015 introduced a single offence for all forms of trafficking. Scotland committed to place the ICTG on a statutory footing by summer 2022 and the Lord Advocate's Instructions direct against prosecution of children where they have committed a criminal offence through being a victim of human trafficking or exploitation.

314. Following consultation in 2019, the Justice (Sexual Offences and Trafficking Victims) Act (Northern Ireland) 2022 reduced stigmatisation and victim blaming by removing references to 'child prostitution' and 'child pornography' from current legislation. NI continues to fund ICTGs for children.

Optional Protocol on the involvement of children in armed conflict

315. UKG takes the welfare of all recruits and trainees seriously and the Care and Welfare Policy includes specific references to additional measures for under 18s. The UK armed forces (UAF) have a minimum enlistment age of 16 and recruitment campaigns do not directly target under 18s. Those under 18 can only join with parental consent and have the right to claim discharge when they enlist, with no subsequent reserve liability. UKG ensures that all under 18s are protected with exclusive rights and have fewer restrictions if they withdraw from the UAF.

316. The Safeguarding Partnership Board is the lead strategic pan-defence partnership responsible for ensuring rigorous approaches to safeguarding the welfare of young people in the UAF. The Joint Doctrine Publication 1-10, Captured Persons (2020) outlines the legal position regarding the treatment of younger soldiers, and provides for special treatment and care. All policies conform with human rights law and the humanitarian principles of the Geneva Conventions.

317. The UAF work hard to promote equal opportunity through their recruitment campaigns, and during the recruitment process, family income or race are not considered.

Strategies exist to recruit underrepresented groups, such as ethnic minority representation, including engaging with ethnic minority social media groups.

318. UK export control law prohibits the export of arms to all destinations unless authorised by a licence issued by the Secretary of State for International Trade. The UK will not issue an export licence if there is a clear risk that the equipment might be used to commit or facilitate serious violations of human rights or of international humanitarian law.

III. Statistical information and data

319. Responses to data questions are set out in the Data Annex E.
