



**Convention on the Rights  
of the Child**

Distr.  
GENERAL

CRC/C/SR.1356  
18 December 2009

ENGLISH  
Original: FRENCH

---

COMMITTEE ON THE RIGHTS OF THE CHILD

Forty-ninth session

SUMMARY RECORD OF THE 1356th MEETING

Held at the Palais Wilson, Geneva,  
on Tuesday, 23 September 2008, at 3 p.m.

Chairperson: Ms. LEE

CONTENTS

CONSIDERATION OF REPORTS OF STATES PARTIES (continued)

Second and third periodic reports of the United Kingdom (continued)

---

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Editing Unit, room E.4108, Palais des Nations, Geneva.

Any corrections to the records of the public meetings of the Committee at this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

The meeting was called to order at 3.05 p.m.

CONSIDERATION OF REPORTS OF STATES PARTIES (agenda item 4) (continued)

Second and third periodic reports of the United Kingdom (CRC/C/GBR/4; CRC/C/GBR/4/Q/1 and Add.1-2) (continued)

1. At the invitation of the Chairperson, the delegation of the United Kingdom took places at the Committee table.
2. Mr. ZERMATTEN noted that the State party had delegated to the local communities the implementation of the children's playgrounds programmes and asked what the results of that policy had been and whether steps had been taken to provide access to the playgrounds for children with disabilities.
3. He wished to know what arrangements were in place for caring for children remanded in custody and what support and care measures were provided for them. He noted that in cases of juvenile crime the State party made more frequent use of measures of deprivation of liberty than the other European countries and asked whether the intention was to change that state of affairs.
4. Mr. KOTRANE said that he would like to hear about the measures taken by the State party to combat the illegal non-return of children to foreign countries and the abduction of children. He asked whether steps had been taken to promote, through the schools, the integration of children from different cultures and to combat parochialism and whether school curricula included education in tolerance and friendship between peoples and religions.
5. He also asked whether the minimum wage was the same for children as for adults employed under the same conditions.
6. Despite the new procedure introduced in March 2007 it seemed that not all unaccompanied children enjoyed the assistance of a guardian or adviser. Furthermore, the State party continued to use a medical method of determining age, which was inconsistent with the guidelines drawn up by the Office of the United Nations High Commissioner for Refugees and with the Committee's own recommendations. The delegation might provide additional information on that point. It might also clarify the position of unaccompanied children who were sent back to their countries of origin without any inquiries first being made as to whether they would be received and cared for immediately and in the long term.
7. Ms. AIDOO said that she noted with dismay that the number of children affected by poverty was increasing. During its universal periodic review the United Kingdom had stated that it had taken measures to deal with that problem, but it seemed that the strategy put in place was not working. She asked what obstacles were preventing the State party from attaining its goals and whether targeted strategies and programmes had been formulated for the most disadvantaged children, who suffered persistent and structural inequalities related to their socio-economic situation and their ethnic origin, such as Black children, children belonging to ethnic minorities, and Traveller children. The four nations comprising the United Kingdom had poverty reduction strategies but none of them appeared to have formulated a time-bound action plan backed by specific budgetary appropriations.
8. There were serious inequalities in the health system, and the teenage pregnancy rate, which was linked to poverty, was one of the highest in Europe. She asked whether teenagers had access

to confidential services, counselling and support with regard to sexual and reproductive health and whether sex education courses were taught in the schools and communities.

9. Ms. ORTIZ noted that the State party's new Adoption Act referred to "the welfare" of the child, whereas article 21 of the Convention referred to "the best interests" of the child; clarification of that point would be welcome.

10. She also wished to know what measures had been adopted to help children whose parents were in prison, whether they lived in or outside the prison and, if outside, how they were cared for and how they remained in touch with their parents.

11. She asked what the State party was doing to facilitate the placement of children with families, pending adoption, rather than in institutions.

12. She also wished to know what action the State party's authorities were taking to ensure that the media portrayed an image of children which respected their dignity.

13. Mr. PURAS asked how the State party was tackling the inequalities in the health services, which affected primarily children in alternative care, Roma children and children belonging to ethnic minorities, and how it helped children whose parents were alcoholics or drug addicts or had mental health problems.

14. He noted that the number of children who used alcohol was declining but that the quantities consumed were increasing and asked for additional information about the State party's policy for preventing teenage alcoholism.

15. The delegation might perhaps describe the State party's strategy on the mental health of children and young people and indicate whether the authorities intended to place the emphasis on prevention and to make quantitative and qualitative investments in specialized services. It did seem that, while the State party provided very good primary mental health care and had excellent outpatient consultation services, it was encountering difficulties with respect to the short- and long-term hospitalization of patients with complex psycho-social problems.

16. It also seemed that the collection of data and statistics on children with disabilities was giving rise to problems and that the planning of the services for such children was encountering difficulties in evaluating their needs. The delegation might perhaps indicate whether measures were planned to solve that problem. It would also be useful to know what action the State party was planning to take to make it easier for children with disabilities to go to school and to make the transition from child to adult services.

17. Mr. CITARELLA noted that the four nations had different procedures with respect to juvenile justice, that the age of criminal liability differed from one nation to another, and that children were often held in detention together with adults. A child who had committed an offence in complicity with an adult was sometimes prosecuted under the same procedures and in the same proceedings as the adult. The delegation might perhaps clarify the operation of the juvenile justice system in the United Kingdom in general and in each of the four nations.

18. Ms. HERCZOG said that the United Kingdom had one of the lowest breastfeeding rates in Europe and that the International Code of Marketing of Breast-milk Milk Substitutes was not applied in the United Kingdom. Only 59 hospitals out of 319 had obtained full certification as baby-friendly hospitals. Owing to the shortage of hospital staff, the number of unattended home

births was increasing, a situation fraught with risks both for newborn babies and for their mothers. She invited the delegation to comment on the topic.

19. For some 20 years at least the United Kingdom had had serious problems of child abuse and moral neglect. Despite the excellent programmes which had been introduced, there was no coherent thinking or planned strategy on such questions as early childhood, the emotional health of children, and support for parents. She would like to know what results the State party expected from such programmes as the "schools for parents" in terms of preventing child abuse and moral neglect. She noted that corporal punishment was one aspect of abuse and would like to hear the delegation's opinion on the statement by a British judge that the Convention on the Rights of the Child was not part of English law and that, as far as corporal punishment was concerned, the courts were not bound to take it into consideration.

20. Mr. POLLAR asked whether there were any arrangements to guarantee fulfilment by parents and legal guardians of their responsibilities towards children and whether campaigns had been aimed at parents and children to raise their awareness of children's rights in the family. He also asked what measures had been introduced for children of single parents and for children from the most seriously disadvantaged groups.

21. Ms. KHATTAB asked whether the reservation entered by the United Kingdom concerning the application of article 7, subparagraph (a) (i), of the International Covenant on Economic, Social and Cultural Rights, on equal remuneration for men and women, was still in force. She also wished to know whether the State party was taking steps to prevent young children from religious minorities being exploited by extremist groups and to facilitate their integration in British society.

22. She would also like to know the State party's position on the use of reasonable physical chastisement; the Human Rights Commissioner of the Council of Europe had stated that smacking a child not only set a bad example of how to behave but was also a manifestation of utter contempt for the fundamental rights of the smallest and weakest persons.

23. She noted that in its concluding observations in 2002 the Committee had said that it was concerned about certain provisions of the British Nationality Act which discriminated against children born out of wedlock and asked what the State party was doing to ensure that immigrants from countries where female genital discrimination was still practised protected their daughters against such abuse.

24. The CHAIRPERSON said that many of the children in conflict with the law came from the alternative care system and asked whether the State party had produced any studies on that subject. She also wished to know why children held in detention were not educated in accordance with the national curricula.

25. She asked for further information about children with special educational needs, who were often excluded from the school system.

26. Ms. JACKSON (United Kingdom) said that children's commissioners had been appointed in each of the four nations under specific laws adopted by parliamentary means and that their functions might therefore be somewhat different, but they all had to act as independent ombudsmen for children and young people. Two of the four commissioners, including the one for England, also had a mandate to investigate individual complaints.

27. The fact some of the children's commissioners reported to Parliament through a secretary of state instead of directly did not limit their independence in any way. That was the traditional reporting procedure for most independent governmental bodies. The Children's Commissioner for England had appeared several times before parliamentary committees, which in future would have their say in the appointment of the Commissioner as well.

28. Nor did budgetary appropriations affect the commissioners' independence, for it was the commissioners alone who decided how to use the public funds allocated to them.

29. Ms. WALKER (United Kingdom) said that the term "the welfare of the child" used in British legislation was fully consistent with the provisions of the Convention. The child's welfare was the prime consideration in any judicial or adoption decision. The terms "welfare" and "best interests" were synonymous from that standpoint.

30. The law provided that adoption agencies must take due account of the religious beliefs, racial origin and cultural and linguistic background of every child.

31. Mr. ROONEY (United Kingdom) said that it had been decided in Northern Ireland, following a lengthy debate, to use "welfare" instead of "best interests" in the legislation. In practice, the distinction did not in any way diminish the impact of the children's policies. The Ten-Year Strategy for Children and Young People was in that regard based on the rights of the child. Northern Ireland was currently working on the production of indicators based on the welfare and best interests of the child.

32. Mr. McCULLY (United Kingdom) said that the Ten-Year Strategy envisaged a number of measures to correct the negative image of children given by the media. Among other things, the Government was encouraging young people, by means of financial assistance, to present their own projects and reportage and it supported local communities which organized events in honour of young people. A "youth week" to be celebrated throughout the country was being studied in conjunction with civil society organizations.

33. Mr. PARFITT asked whether the State party's journalism schools had ethics committees which, in addition to offering additional guarantees of media independence, would help to prevent a number of court cases involving not only children but also many non-governmental organizations (NGOs) working for children.

34. Ms. PUGH (United Kingdom) said that the issue of respect for the privacy of children taking part in reality television programmes had been mentioned by many of the persons responding to a survey carried out in 2007 under the Staying Safe strategy; that issue had been addressed in the action plan of the same name published in February 2008. The United Kingdom had clear rules on the participation of children in showbusiness. The new directives issued to broadcasters by the Office of Communications concerning young peoples' participation in broadcasts placed the child's welfare at the centre of all the considerations and decisions relating to programme content and production.

35. ContactPoint, a component of the Every Child Matters programme, was an online directory for furnishing coordinated support to children and young people who needed it. It would contain basic information about all the children in England in the 10-17 age group and the details of the various professionals responsible for providing services for children and young people. Access to ContactPoint would be strictly limited to persons needing that information in the course of their

work. All authorized users would have received obligatory training and would be issued with a password, a personal identification number, and a security code.

36. Ms. STEWART (United Kingdom), reverting to the concerns expressed by several members of the Committee about antisocial behaviour orders (ASBOs), said that it was always difficult in such cases to strike a fair balance between the interests of the child on whom an ASBO was imposed and the interests of the community, which had to be protected.

37. As far as possible the authorities had always placed the emphasis on prevention and on the provision of support and assistance for children likely to attract that kind of measure. Several projects had been introduced in the form of partnerships with schools, parents and young people themselves.

38. It should be noted that the use of ASBOs had declined by 34 per cent during the past year and that the use of other available tools, such as acceptable behaviour contracts, had increased by 70 per cent.

39. With regard to respect for the privacy of children placed under ASBOs, it must be pointed out that it might be necessary to make an ASBO public in order to ensure its effectiveness, but the aim was never to humiliate the young person concerned.

40. The CHAIRPERSON said that she wondered about the effectiveness of the prevention measures taken by the State party, for most of the young people on whom ASBOs were imposed had already been in conflict with the law; in the absence of a clear definition of antisocial behaviour, was there a subjective element in the issuance of the orders?

41. Ms. SMITH (Country Rapporteur) asked whether a young person who infringed an ASBO was liable to be prosecuted.

42. Ms. STEWART (United Kingdom) said that there were no official statistics on the effectiveness of ASBOs but that experience showed that their use had made many districts more acceptable places to live in. A young person who infringed an ASBO would be subject to the various stages of the juvenile justice procedure but, in all cases, detention remained a measure of last resort.

43. Mr. ZERMATTEN said that owing to its hybrid nature (prevention, protection, suppression) the ASBO system did not satisfy the requirements of the Convention.

44. Mr. McCULLY (United Kingdom) said that there was no dichotomy between prevention and law-enforcement. The two went together, and the juvenile crime action plan which was shortly to be implemented with the support of civil society organizations provided for a three-pronged approach based on prevention, law-enforcement, and suppression. The prevention component included various measures aimed at improving the provision of services for young people and families in order to nip emerging problems in the bud. Then there were measures to ensure effective law-enforcement in the light of young people's specific needs (establishment of joint groups made up of young people and representatives of the forces of law and order to deal with the problem of the gangs operating in some districts, for example). And young people could be referred under the juvenile justice system to rehabilitation programmes to facilitate their access to treatment for drug addiction or violent behaviour or to continue their education.

45. Ms. ORTIZ said that she was astonished that the State party permitted the use of Mosquito very high frequency transmitters.

46. Mr. McCULLY (United Kingdom) said that the British Government and the devolved administrations certainly did not encourage the use of such devices. A number of local authorities, in Scotland in particular, were currently conducting studies of the effects of transmitters of that kind.

47. Ms. AIDOO asked whether the action taken by the State party to combat the antisocial behaviour displayed by some young people was part of a long-term social strategy emphasizing care and development from very early childhood and support for parents.

48. Ms. SMITH (Country Rapporteur) asked why ASBOs were used more often in England than in the rest of the United Kingdom. She was surprised that the age of criminal responsibility was so low.

49. Mr. CITARELLA said that the antisocial behaviour of young Britons was fundamentally a problem of education; he urged the State party to give greater emphasis to individual responsibility in that regard, especially on the part of parents and schools.

50. Mr. JEFFERY (United Kingdom) said that the establishment of a comprehensive prevention and early intervention programme was the best means of avoiding recourse to ASBOs and that such a programme was an essential part of all of the country's children's policies. The assignment to the schools of responsibility for identifying the difficulties experienced by some children from their earliest years and the creation of specialized centres at the grass-roots level to take charge of problem children and help their families testified to the Government's determination to improve the situation, but such measures usually bore fruit only in the long term.

51. Ms. STEWART (United Kingdom) said that DNA testing was a very useful tool for the police, especially as a means of clearing suspects, and that the use of that scientific technique was governed by the police legislation and the rules of evidence, which, among other safeguards, prohibited the disclosure of the data collected, except in very specific cases. Furthermore, the DNA-testing procedure was monitored by a body created for that purpose in the police service.

52. With regard to the measures of restraint which could be used on juvenile offenders, it should be remembered that many detained minors had serious behavioural problems and that it was sometimes preferable to intervene to protect them against themselves and to protect the people around them. Nevertheless, the codes of conduct of the youth justice councils stated clearly that such measures must be used only as a last resort. A council had been established to supervise the use of the various measures of restraint.

53. In the light of the recommendations of an expert group of medical-school doctors which had assessed the various methods of punishment and restraint employed, use of the particularly violent and dangerous methods, based inter alia on martial-arts holds, had been suspended. Furthermore, the findings and recommendations of a survey of the use of such methods in a prison setting conducted by independent experts were currently being examined by the Ministry of Justice, which was going to publish them and act on them. The Government took the issue all the more seriously as a minor had recently died in prison after having been subjected to such a measure.

54. Mr. PARFITT asked whether it was common for ASBOs to be imposed on children who, for want of playgrounds, met in the street.

55. Mr. FILALI (Alternate Country Rapporteur) said that ASBOs ran counter to article 15 of the Convention, which embodied children's right to freedom of association and peaceful assembly and provided that the exercise of those rights could be restricted only in the interest of national security, public safety or public order; that did not hold true for ASBOs.

56. Ms. STEWART (United Kingdom) said that the prohibitions and restrictions imposed under an ASBO had to be described with precision so that the child or adolescent in question properly understood their scope; the conditions triggering the imposition of ASBOs were stated clearly in the legislation.

The meeting was suspended at 4.35 p.m. and resumed at 4.50 p.m.

57. Ms. WILLIAMS (United Kingdom) said that in order to guarantee the right to education a fine, or even as a last resort a prison sentence, could be imposed on parents whose children did not attend school regularly.

58. In their review of the secondary curricula the education authorities in England had placed more emphasis than in the past on students' personal development by means of interactive teaching and learning methods using practical activities, as well as on the development of the individual capacity to absorb knowledge. That new approach was to be introduced at the beginning of the school year in September 2008. It was to be followed by a review of the primary curricula.

59. Before their first national examinations at age 16 children would have taken only three kinds of test: at age seven, to establish whether they could read and had mastered the basic notions of counting and to check their knowledge of science subjects, then at ages 11 and 14 in three subjects: maths, English and science. It did not seem excessive or particularly upsetting for them to be assessed in three subjects three times in nine years, especially as the assessments were designed exclusively to establish the children's level of attainment and as poor results were not punished by repetition, which did not exist in Great Britain. However, a new approach being tested in three pilot regions would allow children to take the examinations when they considered themselves ready to do so and not at a prescribed age as was currently the case.

60. Mr. KRAPPMANN said that the information in his possession indicating some 70 tests which British schoolchildren had to take in the space of three or four years came from the General Education Council.

61. Mr. MacLEAN (United Kingdom) said that the Scottish education authorities had reworked the curricula of all the cycles of education and had set targets to be attained by all children between the ages of three and 18. The new elementary curriculum placed the primary emphasis on learning to read and count and on health and well-being. The emphasis then shifted to the development of the capacity to learn, the skills needed for finding a job, and initiation in daily life. The number of tests and assessments had been reduced, and children were consulted about the reformulation of the objectives and the reworking of the curricula and methods of assessment.

62. It was true that some population groups achieved poorer results and attracted more exclusion measures than other groups. A child's exclusion from a school did not mean exclusion from the entire education system: the competent local authorities were required to ensure that other bodies took charge of the child.

63. Mr. ROONEY (United Kingdom) said that in its curricula review Northern Ireland had concentrated on the 14-19 age group and on subject diversification and the introduction of new learning methods.

64. Mr. BUTLER (United Kingdom) said that Wales was currently revising its education programme for children in the 3-7 age group, which was based on play and recreational activities. The programme had several objectives, including personal development, acquisition of social skills and awareness of cultural diversity, acquisition of communication skills, and acquisition of Welsh and knowledge of the world.

65. An initial assessment of the children had been made at the start of the programme and at regular intervals thereafter; the assessments were based on teachers' classroom observation rather than on written tests.

66. The new programme would be introduced gradually over the next four years, which would allow time for recruiting the necessary staff to produce the desired teacher/pupil ratio of one to eight for the 3-5 age group and one to 12 for the 5-7 age group.

67. Ms. HERCZOG asked whether Wales had an early childhood development programme for under-threes.

68. Ms. WILLIAMS (United Kingdom) said that in England 9,000 pupils, or 1.2 per cent of children of school age, had been permanently excluded from their schools. Such children had usually been found guilty of a serious offence or a serious infringement of their school's internal rules. The number of pupils subjected to temporary exclusion, usually for one to three days, was much higher. It must be stressed that the temporary exclusion rate had risen by four per cent between the 2006/07 and 2007/08 school years, while the permanent exclusion rate was declining, indicating that schools were taking action earlier in order to prevent situations from deteriorating.

69. The statistics showed that young Black and mixed-race boys from the Caribbean were three times more likely than their white fellows to be excluded permanently. A 2006 survey had revealed that a number of misunderstandings leading to conflicts between pupils and teachers, and thus to exclusions, had had to do with cultural differences; the authorities were closely monitoring the situation in schools in which the exclusion rate for children from the Caribbean was particularly high.

70. Many children with special educational needs, including some placed in that category by the education authorities themselves, had been excluded from school permanently. A project had been initiated in several local communities to address that very worrying situation.

71. In May 2008 the Government had published a white paper setting out its strategy for improving the quality of the education of children excluded from the mainstream system for various reasons (phobias, illness or pregnancy, for example). The strategy provided for close monitoring of the children in question and for the formulation, in conjunction with them, of personalized programmes with specific goals.

72. Mr. ROONEY (United Kingdom) said that, although Roma and Travellers were recognized as an ethnic minority and enjoyed equality of rights in Northern Ireland, all the indicators (health, infant mortality, life expectancy, education) pointed to a wide gap between their situation and that of the rest of the population. And widespread prejudice against that minority persisted. In order to

improve the school results of Roma and Traveller children, the Ministry of Education had established a committee to deal with matters relating to their education.

73. Mr. INGHAM (United Kingdom) said that best practice guidelines on the education of Traveller children had been circulated in 2008 to all Welsh schools. The guidelines contained practical advice on how to treat Traveller children, curricula, distance learning and ways of preventing dropouts. The number of such children enrolled in Welsh schools had never been as high as it was at present, but there was a long way to go. The Welsh Assembly had decided to allocate annual assistance for 900,000 books to the services responsible for the education of Traveller children. Increasing numbers of Traveller children were seeking assistance from the services for university study or vocational training. The Welsh Assembly had also funded the distribution to all Welsh schools of a DVD produced by Save the Children, which showed young Travellers describing their culture and giving their views on education and vocational training.

74. Considerable resources had been made available to local authorities to improve existing Traveller sites and establish new ones. Guidelines based on the findings of a study of Roma housing needs were being drafted. Their purpose was to ensure that the sites were permanent and well managed, that provision was made for their maintenance, and that they met the standards of quality applicable to social housing built for the local population.

75. Ms. SCALES (United Kingdom) said that since 2006 the Disability Discrimination Act of 2005 had applied to all schools. Schools were now required to promote equality of opportunities, combat harassment, encourage children with disabilities to participate, and try to meet their specific needs. They were also required to formulate, in conjunction with the persons concerned, a strategy to ensure the equality of treatment of disabled and other pupils and to report every three years on the strategy's implementation. The first report on the application of the 2005 Act was due to be presented to the Secretary of State by the end of 2008.

76. The Act provided that the parents of a disabled child could request the enrolment of their child in a mainstream or special school of their choice.

77. With regard to the placement of children with special needs in establishments far from their homes, the competent authorities did everything possible to prevent children from being separated from their families. A strategy entitled "Aiming high for disabled children" had been published in 2007 following broad consultation of children with disabilities and their relatives. One of the aims was to enable the children to live with their families. In addition, there were a number of provisions in a bill currently before Parliament which obliged local authorities to ensure that children with disabilities were placed in establishments close to their family home.

78. As things stood at present, children could not appeal to the Special Educational Needs and Disabilities Tribunal against decisions by the authorities declaring them to have special educational needs, even though they were the persons primarily affected. An independent expert was to be commissioned in 2009 to examine all the measures designed to satisfy children's special educational needs in order to determine whether they were consistent with the principle of the best interests of the child and to consider in particular the possibility of appeal against decisions of that kind.

79. Ms. WILLIAMS (United Kingdom) said that since 2006 schools had been legally required to formulate their disciplinary policy, including anti-bullying measures, in consultation with their pupils. In 2007 the Ministry for Children, Schools and Families had published guidelines on the

prevention and elimination of bullying. The inspectors were required to verify on the spot the effectiveness of the steps taken by schools to combat bullying, including homophobic bullying.

80. Mr. MacLEAN (United Kingdom) said that in Scotland associations for the protection of the rights of homosexuals had been requested to produce handbooks for school personnel to equip them with the means of reacting appropriately when pupils were subjected to homophobic bullying.

81. Ms. WILLIAMS (United Kingdom), replying to questions about the problem of extremism among young people, said that since 2007 schools in England had been legally required to promote social cohesion and develop in children respect for different cultures and religions.

82. Mr. MacLEAN (United Kingdom) added that in Scotland efforts had been made for several years to cope with the tensions between Catholic and Protestant pupils, in particular in West Scotland. Measures had been carried out in Glasgow in conjunction with the Muslim community in order to facilitate the integration of Muslims in Scottish society.

83. Mr. ROONEY (United Kingdom) said that in Northern Ireland, a region which had undergone a long period of religious conflict, programmes had long since been established in and outside the schools to promote dialogue between the religious communities. School curricula had been amended to take account of the new realities resulting from the radical changes in the composition of society which had been taking place for some years now.

84. Ms. WILLIAMS (United Kingdom) said that most of the provisions of the Education Act applied to the Academies and that the extension of the duration of compulsory education to 18 years would not come into force until 2013.

85. The CHAIRPERSON asked whether the State party intended to impose a total ban on corporal punishment.

86. Ms. PUGH (United Kingdom) said that the legislation applicable in England and Wales had been amended in 2004 by the adoption of the Children Act, article 58 of which provided that persons inflicting serious bodily harm or abuse on a child could no longer rely on the argument of "reasonable punishment". However, the United Kingdom did not intend to ban corporal punishment, in particular smacking, in the home. A 2007 study had shown that smacking was declining in the family, especially among the younger generation. The United Kingdom considered therefore that, unless the protection offered by article 58 of the Children's Act proved insufficient, there would be no need to amend the domestic legislation. Rather than banning corporal punishment, it preferred to make parents aware of other means of punishing their children.

87. Ms. HERCZOG said that she was surprised that corporal punishment was permitted in the home when it was prohibited in the schools.

88. The CHAIRMAN asked whether the State party intended to raise the age of criminal responsibility.

89. Mr. STEWART (United Kingdom) said that a child aged 10 was capable of distinguishing right from wrong. However, everything possible was being done to prevent juvenile offenders from being prosecuted if an alternative solution could be found. If a minor was convicted, rehabilitation measures were preferred to a prison sentence. A pilot project on the preferential use of the extrajudicial settlement of disputes and restorative justice was currently under way, the

emphasis being placed on making offenders aware of their responsibility for the harm they caused instead of on their punishment. Accordingly, the United Kingdom did not consider that the time was right to raise the age of criminal responsibility.

90. The delegation of the United Kingdom withdrew.

The meeting rose at 6 p.m.

-----