



# Convention on the Rights of the Child

Distr.: General  
11 April 2016

Original: English  
English and Spanish only

---

## Committee on the Rights of the Child

Seventy-second session

17 May-3 June 2016

Item 4 of the provisional agenda

Consideration of reports of States parties

### List of issues in relation to the fifth periodic report of the United Kingdom of Great Britain and Northern Ireland

Addendum

### Replies of the United Kingdom of Great Britain and Northern Ireland to the list of issues<sup>\*</sup>, <sup>\*\*</sup>

[Date received: 2 March 2016]

---

\* The present document is being issued without formal editing.  
\*\* The annexes are available on the Committee's web page.



1. The United Kingdom (UK) believes all children should enjoy a secure and happy childhood and be empowered to participate fully in society. The UK remains fully committed to the United Nations Convention of the Rights of the Child (UNCRC) and, since the plenary session with the UN Committee in 2008, has taken significant steps to strengthen children's rights. We look forward to discussing developments with the Committee.

2. UK implementation of the UNCRC is set within the context of devolution. For some matters concerning children's rights the Westminster Parliament governs England only. Each UK jurisdiction has the power to respond to their particular circumstance whilst maintaining commitment to the UNCRC. The following report responds to the Committee's List of Issues for the UK collectively unless otherwise stated. Particular progress includes:

- **England:** Children's rights have been significantly strengthened, notably through the Children and Families Act (2014) which improves services for children and strengthens the Children's Commissioner's powers.
- **Northern Ireland:** The Children's Services Co-operation Act (NI) (2015) and reforms to youth justice ensure children's best interests are paramount.
- **Scotland:** Getting it Right for Every Child, Scotland's approach to improving outcomes and wellbeing of children and young people, translates the UNCRC into clear values, principles and practices, underpinned by the Children and Young People (Scotland) Act 2014
- **Wales:** the UNCRC is embedded in legislation (2011). The Programme for Children and Young People (2015) combines legislation, policies and programmes to ensure children are safe, healthy and happy.
- **Crown Dependencies:** Jersey ratified the UNCRC and optional protocol on the Sale of Children (2014). A curriculum allowing greater flexibility and creativity has been introduced in the Isle of Man's primary schools.
- **Overseas Territories:** The Foreign and Commonwealth Office established a Child Safeguarding Unit in 2015 to work in partnership with Overseas Territories to strengthen child safeguarding systems. A zero tolerance approach to child abuse and a practice-sharing model was agreed at the last annual Joint Ministerial Council of Territories.

## Part I

### Bill of Rights

3. The UK Government has a mandate to reform the human rights framework. The UK has a long tradition of respect for human rights and, in the UK Government's view, the Human Rights Act opened the system to abuse.

4. The proposed Bill of Rights will continue to protect fundamental human rights whilst restoring appropriate constitutional balance. Detailed proposals are in development. Although the Human Rights Act is not devolved, in 2014 the Scottish Parliament passed a motion in support of the Act. The UK government will fully consult on proposals, inviting the views of the Devolved Administrations, and thorough debate before legislation is introduced.

### **UNCRC Implementation**

5. As a general principle, the State Party does not incorporate international treaties into domestic law.
6. Ministers in England committed publicly to giving the UNCRC due consideration when making policy and legislation. Legislation is assessed to ensure compatibility with the UNCRC. Cabinet Office guidance encourages impact assessments to be undertaken on legislative changes to ensure children's rights are considered. There are laws and procedures to seek redress if children's rights are breached, e.g. Special Educational Needs tribunals. The Government will keep the Optional Protocol under review in light of emerging information about use in other countries.
7. In Northern Ireland the Executive, Departments and Agencies must co-operate to improve children's wellbeing (Children's Services Co-operation Act (Northern Ireland) (2015)). Legislation was introduced (2015) to reflect children's best interests in the statutory aims of the youth justice system.
8. The Children and Young People (Scotland) Act 2014 places duties on Ministers to: consider and take action to strengthen implementation of the Convention; promote awareness and understanding of children's rights; and report to parliament on progress. Child Rights and Wellbeing Impact Assessments help meet these duties. Scotland's 'National Action Plan for Human Rights' (2013) aims to support realisation of international human rights standards. Children can complain through complaints procedures and the courts.
9. The Children and Young Persons (Wales) Measure (2011) requires Ministers to have due regard to the Convention when exercising their functions. A Children's Rights Scheme (2014) sets out arrangements to support ministerial compliance.
10. Human Rights Chapters have featured in Territory constitutions since the 1960s. In Bermuda legislation provides remedies for breaches under the Convention. The Welfare of Children Ordinance (2008) in St Helena incorporates the UNCRC's principles.

### **Children's Commissioners**

11. In England the Children and Families Act (2014) introduced greater independence for the Children's Commissioner, consistent with the Paris Principles. The Commissioner submits reports directly to Parliament and has explicit responsibility for promoting and protecting children's rights. The Commissioner 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.
12. Northern Ireland's First Minister and Deputy First Minister are considering recommendations from their Commissioner for Children and Young People about strengthening the role, including the independence required by the Paris Principles,
13. The Commissioner in Scotland is legally independent of government and must not be directed by Scottish Government or Parliament. The Commissioner ensures service providers have regard to the rights and views of children where decisions affect them. When commenced, provisions in the Children and Young People (Scotland) Act (2014) will empower the Commissioner to conduct investigations on behalf of individual children.
14. In Wales the Children's Commissioner has powers to protect and promote children's rights and a mandate to receive and investigate children's complaints. The Welsh Government upholds the right of the Commissioner to operate independently – this is established in statute.

### Age Discrimination

15. The Government believes every child should be treated in a way suitable for their stage of development. People under 18 in Great Britain are protected against race, disability, sex, religion or belief, sexual orientation and gender reassignment discrimination in employment, provision of goods, facilities, services and public functions (Equality Act, 2010). Distinctions drawn by age offer additional protection, e.g. prohibiting sale of alcohol to under-18s.

16. In 2015, Northern Ireland's Executive launched a public consultation on proposals to extend age discrimination legislation in the field of goods, facilities and services. This set out proposals to protect adults and young people aged 16 and over from discrimination outside the workplace on grounds of age. The Executive is considering consultation responses before bringing legislative options to the Assembly.

### Distinctions in Overseas Territories

17. The UK government works with Territory governments to ensure laws are non-discriminatory and comply with international human rights obligations. Where this is not the case, Territories are expected to take action to reach full compliance.

18. There are no legal distinctions on Pitcairn Islands, Ascension and Cayman Islands. Other Territories have made recent progress:

- **Virgin Islands, Montserrat, Bermuda and Turks and Caicos** have abolished legal distinctions between children born within and outside wedlock (Status of Children Act (2014), Status of Children Act (2013), Children Act (1998) and Children Ordinance (2015) respectively).
- **St Helena** is writing an immigration ordinance for Tristan da Cunha to create parity between "belongers" and "non belongers". **Bermuda** is looking to amend "Pathways to Bermudian Status" through the Immigration and Protection Act 1956.

### Counter-terrorism

19. The UK's Counter-Extremism Strategy aims to confront all forms of extremism and seeks to build more cohesive communities. It is not solely focused on Muslim communities and should not stigmatise anyone. The Channel programme (part of the 'Prevent Strategy' in England and Wales) supports anyone, including children, at risk of being drawn into terrorism. The programme does not constitute any form of criminal or civil sanction and is explicit that expressions of faith is not a reason for referral.

20. Maintained schools have a legal duty to promote community cohesion. Most Academies have this requirement in Funding Agreements. In 2016, measures to protect children from extremism were announced including the 'Educate Against Hate' website, offering parents and schools advice to protect children from all forms of extremism and prejudice.

21. The Scottish Government and Education Scotland have worked with local authorities to implement a proportionate approach to safeguard children from radicalisation. Over £20m will be provided (2015-16) to tackle inequality and discrimination, including £3.1m to organisations supporting race and religious equality.

22. In Wales the 'Tackling Hate Crimes and Incidents Framework for Action' supports victims of Islamophobia. Victim Support Cymru is funded to encourage reporting of hate crime and support victims. The Welsh Government is supporting projects to counter extremism and reduce prejudice, including 'Getting on Together', which provides curriculum materials for secondary schools and colleges.

### **Legal Aid**

23. Legal aid funding in England and Wales is available for high priority cases. The interests of children were considered when developing proposals for reforms; impact assessments were carried out which encouraged changes in approach. Legal aid is available to children party to private family proceedings. Children in care proceedings have independent legal representation and guardians to advise courts on the child's welfare. Funding is available where failure to provide legal aid would breach the applicant's rights under the European Convention on Human Rights or European Union law.

24. There have been no changes to Criminal Legal Aid for children except prison law where, in some cases, the provision of aid is restricted. Issues removed from scope do not require the input of lawyers and can be resolved through alternative means of redress, e.g. Youth Offending Institutes' (YOIs) complaints systems.

25. The impact of reforms are closely monitored. A post-implementation review of the Legal Aid, Sentencing and Punishment of Offenders Act (2012) will be undertaken within 3-5 years.

26. Reforms are underway in Northern Ireland to ensure legal aid funding is targeted at those most in need, and discourage unnecessary and adversarial litigation. Reforms will not impact on children's ability to apply for legal aid.

27. In Scotland, there have been no reductions to the range of matters for which legal aid is available. Children can access legal aid on civil and criminal matters if they have the capacity to instruct a solicitor. The Scottish Government supports various organisations providing legal advice to children and families.

28. Jersey is currently reviewing legal aid. The Isle of Man has not reduced legal aid and has introduced a mediation scheme for families experiencing relationship breakdown. Anguilla has established a committee to develop a legal aid system for children.

### **Youth Parliaments**

29. Northern Ireland had 18 representatives elected to the UK Youth Parliament in 2014 to bring about social change. They seek the views of young people and engage them in campaigning and lobbying. Ongoing budget constraints have postponed plans for a Youth Assembly, however engagement with Members of the Assembly is ongoing.

30. The Welsh Government provides significant funding to support children's participation. Following open competition, in which Funky Dragon participated, 'Young Wales' was successful in its bid for £1.8m government funding over 3 years. Young Wales has improved participation to previously disengaged groups and has enabled children to contribute to UN reporting processes and attend UK Youth Parliament. The 'Children and Families (Wales) Measure (2010)', requires local authorities to enable and encourage children to influence decisions.

31. A Jersey Youth Assembly is held annually. Young people aged 17-18 attend the States Assembly, question Ministers and debate topics chosen by them. Proposals for an independent youth parliament are being considered. Junior Tynwald (Isle of Man) allows 16 and 17 year olds to experience being a parliamentary representative.

32. In the Overseas Territories: a youth parliament was recently established in the Virgin Islands; Cayman Islands operate annual Youth Parliaments; and children in St Helena are involved in policy development and in a Youth Parliament. Montserrat and Turks and Caicos are working to re-establish Youth Parliaments.

### **Voting Age**

33. The UK Government has no plans to lower the voting age for elections within its remit – including UK parliamentary elections, European Parliamentary elections and English local elections. The UK Government recognises 18 as the age of adulthood at which full civic rights are gained. We engage with children and young people in a range of ways to influence policy at both local and national level, e.g. through Youth Parliament.

34. Devolved institutions, such as the Scottish Parliament, have the legislative competence to set the voting age at a local level. The Scottish Elections (Reduction of Voting Age) Act (2015) lowered the voting age to 16 for Scottish Parliament and local government elections.

### **Corporal Punishment**

35. The State Party is committed to tackling all forms of violence against children. In the UK and Crown Dependencies, corporal punishment is prohibited in educational and alternative care settings. In England the Government consulted on proposals to introduce legislation to prohibit corporal punishment in out-of-school settings currently unregulated by education law. There are no plans to remove ‘reasonable chastisement’ from law.

36. The Government provides significant funding to support positive parenting approaches and alternatives to smacking. England’s forthcoming Life Chances Strategy will explore ways to further support parenting provision. Scotland funds family support services to encourage alternatives to physical punishment. Wales launched a campaign 'Parenting: Give it time', offering advice to parents on positive approaches to raising children and alternatives to smacking. Jersey invests in parenting support projects promoting positive behaviour management.

37. Corporal punishment in education and care is prohibited in Anguilla, Falkland Islands, St Helena and the Pitcairn Islands. Other recent progress includes:

- **Cayman Islands:** the Education Bill (2016) will prohibit corporal punishment in schools, early years care, vocational settings and provision for people with special education needs or disabilities.
- **Turks and Caicos:** plan to prohibit corporal punishment in education settings in 2016.
- **Virgin Islands:** the 2014 Education Amendment Act prohibits corporal punishment in schools.
- **Montserrat:** corporal punishment is banned in schools although legislation is required to underpin this.

### **Restraint**

38. Restraint should only be used as a last resort. It is prohibited unless young people are putting the safety of themselves or others at risk. It is Government policy not to use restraint on minors for immigration purposes. In England:

- In custody, the ‘Minimising and Managing Physical Restraint’ (MMPR) system (2015) highlights positive behaviour management techniques. Incidents are reviewed by senior staff and MMPR coordinators, the Youth Justice Board and MMPR national team undertake regular reviews, and the Serious Incidents and Warning Signs panel reviews incidents and shares lessons.

- Ofsted and DfE have strict monitoring practices on discipline in schools, backed by the ‘Teacher Misconduct’ guidance (2015). Parents and children can make complaints to the regulator, school or local authority.
- In children’s homes, a regulatory framework, (2015), requires homes to have behaviour management policies, centred on promoting positive behaviour. This is inspected by Ofsted.
- The Mental Health Act ‘Code of Practice’ (revised 2015) ensures restrictive interventions are only used when developed with input from the child and family and form part of positive behaviour support plans (or equivalent). This is inspected by the Care Quality Commission.

39. In Northern Ireland, schools have a duty to promote good behaviour and discipline, and must have policies on use of reasonable force. Parents must be informed about incidents. A designated teacher deals with complaints. Staff in Juvenile Justice Centres and residential care are trained in measures to reduce conflict through de-escalation e.g. Therapeutic Crisis Intervention (TCI), to ensure restraint is only used as a last resort. The MMPR system is being considered.

40. In Scotland, there is guidance and training for staff to limit restraint in education, custody, mental health and care settings: guidance for residential care staff was revised 2013; and guidance on restraint in all schools is being incorporated into revised ‘positive relationships and behaviour guidance’. Inspection arrangements require establishments to demonstrate guidance is followed and restraint minimised. In certain settings, including community-based mental health services, restraint is explicitly prohibited.

41. In Wales, guidance has been published to reduce the risk of inappropriate use of force in schools. Revised guidance on children in mental health settings will include age-appropriate interventions consistent with Welsh Government and National Institute for Health and Care Excellence guidelines.

42. In the Isle of Man any incident involving restraint in schools is recorded. Complaints are investigated under safeguarding procedures. All care settings are regulated and monitored by the Department of Health and Social Care. The Registration and Inspection Unit is informed of any restraint used as required by Minimum Standards. Reasonable force can be used in custody: best practice from UK College of Policing is followed and custodial institutions are independently monitored. Complaints can be made to the Police Complaints Commissioner.

43. In Jersey TCI is promoted and positive behaviour policies are in place across special needs services. The Regulation of Care (Jersey) Law (2014) provides for independent regulation of health and social care settings. Provisions for regulation of care services are being developed (expected 2017) to protect people from restraint unless it is the only practicable means of securing their welfare.

### **Children in Care**

44. There were 69,540 looked after children in England in March 2015. For every 10,000 children, 60 are in care, an increase from 58 in 2011. Factors driving increase include: increased awareness of risks following high profile child protection cases; support for unaccompanied asylum-seeking children; and provisions for children on remand to become looked after.

45. 90% of children in care had one or two placements throughout the year to 31 March 2015. Action to improve stability includes: new qualitative data on placement moves; placing ‘long term foster care’ on a statutory basis (2015); changing care planning regulations to focus on successful return home; and £36m investment in evidence-based

interventions to improve stability and support (2011-15). The statutory framework ensures decisions about moves are overseen by an Independent Reviewing Officer and the wishes of the child considered.

46. The Children Act (1989) (England and Wales) enables courts to make orders for contact between children in care and family members, and requires local authorities to promote contact where appropriate and practicable. Contact arrangements should be clear from the outset and the feelings of the child, parents and carers taken into account.

47. Whilst the overall total of children in care in Northern Ireland increased by 2% between 2013 and 2015, the number of children entering care fell 15% between 2012/13 and 2014/15. Measures to address placement stability include: revision of Health and Social Care Boards' permanency policies; a care proceedings pilot to achieve early permanence; and Ministerial targets for reduced placement changes.

48. The number of looked after children in Scotland has fallen 4% since 2012, after increasing for over a decade. The number of children looked after by friends and family quadrupled between 2001 and 2014 to over 4,000, likely due to a transfer from informal to formal kinship care. This trend is expected to decrease with the introduction of Kinship Care Orders through the Children and Young People (Scotland) Act 2014, which will support families to keep children out of care. The Looked After Children Strategy (2015) will address delay and improve decision-making to enable children to enter permanent placements more quickly.

49. The Looked After Children (Scotland) Regulations 2009 require local authorities to assess and review contact arrangement and to promote contact between a child and any person with parental responsibilities, as far as practicable and appropriate to the child's welfare.

50. Whilst the number of looked after children in Wales has risen for a number of years, as of 31 March 2015 it decreased by 2.2% from 2014. The Welsh Government is working with the sector to reduce the number of looked after children and improve outcomes through prevention, early intervention and family support.

51. To provide greater placement choice and stability, the Social Services and Wellbeing (Wales) Act (2014) (to be implemented 2016), will provide a legal framework for care planning, placement and case review, supplemented by a Code of Practice and national fostering framework. Local authorities are required to promote contact between children and family, with regard to the child's wishes and needs.

### **Mental Health**

52. The Government is investing £1.4 billion to improve access to high quality mental health services for children and young people in England. This includes additional support for children with eating disorders and expanding the 'Improving Access to Psychological Therapies' programme so children in all areas will have access to evidence-based psychotherapies by 2018. The Government has invested nearly £3m to pilot 'single points of contact' between schools and mental health services. Active engagement with children and young people will underpin this work.

53. In Northern Ireland a regional CAMHS Model is being implemented to improve child-centred care and early intervention: a three year review is underway. Primary Mental Health teams and Crisis Response Home Treatment teams have been established since 2012. Action is underway to address service gaps and improve commissioning for acute CAMHS. The Mental Capacity Bill will introduce new safeguards for children under 16, including a best interests principle where the views of the child must be taken into account.

54. Scotland introduced a waiting time target to drive improvements and deliver faster access to CAMHS. Since 2009/10 Scottish Government has invested over £19.8m to increase the number of psychologists in specialist CAMHS by 70%. In 2016, the First Minister announced over £54m to improve access to mental health services including psychological therapies.

55. In Wales £5.5m is invested annually to expand primary mental health services. An additional annual investment of £7.65m was announced (2015) to help improve specialist CAMHS, including out-of-hours provision.

56. The Isle of Man published a Strategic Plan for Mental Health and Wellbeing (2015), recognising mental health as important as physical health. It sets out a partnership approach to promoting wellbeing and preventing the personal, social and economic costs of mental illness.

57. Victims of sexual abuse have access to a range of specialist support, in addition to core services, including:

- **England:** published a ‘Tackling Child Sexual Exploitation’ Action Plan (2015) setting out actions to improve services’ response, including health. £7m was allocated to non-statutory organisations supporting victims and survivors of sexual abuse, and £1.6m for advocates to support young people who have been victims, or are at risk, of sexual and domestic violence or exploitation;
- **Northern Ireland:** The Family Trauma Centre within CAMHS treats severe and complex psychological trauma. The Rowan Sexual Assault Referral Centre offers services including a 24-hour advice line.
- **Scotland:** the National Action Plan to Tackle Child Sexual Exploitation (2014) set out actions to raise awareness, protect and support children and young people, and bring perpetrators to justice. From April 2016, Barnardo’s Scotland will be funded to expand CSE services.
- **Wales:** a national Action Plan is being developed to ensure a multi-agency response to CSE.

### **Sex and Relationship Education (SRE)**

58. In England SRE is statutory for maintained secondary schools, including special schools. Academies and primary schools are not required to provide SRE, but many do. All schools should have regard to Government SRE Guidance (2000), which states SRE should be age-appropriate and schools should help pupils develop positive values and behaviours, including towards sexual consent.

59. The Framework for Sexual Health Improvement (2013) sets out the Government’s objectives to improve sexual health, including ensuring young people know how to ask for help and can access confidential advice. All YOIs and Secure Training Centres in England and Wales provide SRE, including on how to access advice and treatment.

60. In Northern Ireland, schools must have policies on teaching Relationships and Sexuality Education (RSE). RSE guidance was updated (2015) for all education settings, including special schools and Teacher Training Institutes and contains a Resource Directory to help teachers plan lessons. Tailored guidance is available for primary schools. In Juvenile Justice Centres, RSE is part of the curriculum and Genito-Urinary Medicine clinics are held regularly.

61. Relationships, sexual health and parenthood education in Scotland is provided in all local authority-managed schools, special schools and independent secure units. Guidance for teachers states all young people should be encouraged to understand the importance of

consent, dignity and respect for themselves and others, and should know how to access confidential sexual health services.

62. In Wales, all education settings must provide SRE. In secondary schools it is part of the curriculum. Schools have access to specialist resources to support delivery of SRE. The Sexual Health and Wellbeing Action Plan for Wales (2010-15) emphasises prevention of sexual ill health and provides individuals with information and services to make healthy choices.

63. In Jersey SRE is provided in all education settings, including special schools and YOIs. The curriculum covers physical, mental and emotional health and wellbeing, including sexual health. In the Isle of Man SRE is taught in all schools and maintained provision. There is a bespoke SRE programme for young people attending Special Unit provision, tailored to developmental level. Schools provide confidential access to sexual healthcare via pastoral arrangements.

64. Most Overseas Territories provide SRE in education settings. In St Helena, for example, SRE is provided in all schools, introduced to children as early as 4 years old, and secondary school children are given information on confidential sexual healthcare and contraception. In the Virgin Islands a Strategic Plan to Reduce Adolescent Pregnancy will be implemented in secondary schools from 2016.

### **Child Poverty and Welfare Reforms**

65. The Welfare Reform and Work Bill, currently being debated in the UK Parliament, introduces new statutory life chances measures of worklessness and educational attainment. These measures will drive action on the areas where evidence, set out in the Government's 2014 evidence review, shows we can make the biggest difference to children's life chances. Subject to Royal Assent, the Bill will repeal most of the Child Poverty Act 2010, and require Government to report annually on the number of children in workless and long-term workless households, and the educational attainment of all and of disadvantaged children at the end of Key Stage 4 (England). The Government will publish a new 'Life Chances Strategy' in spring, looking at the root causes of child poverty, including family breakdown, problem debt, and drug and alcohol dependency. Additionally, the Government tabled an amendment to the Bill, placing a duty on Government to publish statistics on children in low income households annually, to provide further assurance that data will continue to be available.

66. The Government consulted with over 400 individuals across the UK and worked with the Children's Commissioner for England to ensure children from all backgrounds could give views on how to measure child poverty (2012). Assessments of the impact of the Welfare Reform and Work Bill, including on children, were undertaken and are publicly available. In respect of the benefit cap, a memorandum to Parliament's Joint Committee on Human Rights (2015) confirmed Government fully considered the UNCRC, particularly articles 3 and 27.

67. Changes to welfare payments are part of a broader strategy to create a fairer system which incentivises work, reduces poverty and protects the most vulnerable, including: a National Living Wage to increase earnings; increasing personal tax allowances to ensure the lowest paid do not pay income tax; and making available £870m in Discretionary Housing payments. Benefits relating to additional costs of disability and care are exempt from the benefits freeze.

68. The Government is determined to break the persistent link between poverty and underperformance at school. £2.5 billion was invested in the Pupil Premium this year alone to help schools support pupils from financially deprived family backgrounds and improve

attainment. All pupils in reception, year one and year two in state-funded schools are eligible for a free school lunch.

69. Northern Ireland's political parties have made up to £585m available to provide additional support to vulnerable groups where needed. The Executive established a working group, led by Professor Eileen Evason, which developed proposals in response to the UK's welfare reforms.

70. Scotland is developing its own national approach to tackling child poverty, including how to measure and report progress. £104m Government funding in 2015-16 will be provided to offer additional support to vulnerable groups. In addition, the First Minister launched free school meals for children in Years 1-3 and the Education Maintenance Allowance programme has been expanded to support more young people to overcome financial barriers to education.

71. The Welsh Government's Revised Child Poverty Strategy (2015) includes two new objectives: using all available levers to create a strong economy; and supporting households to increase their income. The Tackling Poverty Action Plan (2013) aims to: improve educational attainment of children from low income families; mobilise people into employment; reduce the number of young people not earning or learning; and ensure equal access to essential services.

### **Homelessness**

72. Local housing authorities in England have a duty to take reasonable steps to prevent homelessness. This is underpinned by Homelessness Prevention funding of £80m per annum. Where the local authority is unable to prevent homelessness) any household with dependent children will be provided with accommodation (Housing Act, 1996). The local authority must also provide accommodation for: 16 and 17 year olds, care leavers under 21 and anyone over 21 deemed vulnerable as a result of having been looked after. The long-term use of Bed and Breakfast accommodation (B&B) is unlawful for families with children; it should be used in emergencies only and for no longer than six weeks.

73. Statutory guidance requires local authorities to support care leavers in safe and suitable accommodation. Guidance was strengthened (2014) to ensure 16-17 year old care leavers are only placed in B&Bs in exceptional circumstances, for no more than two working days. Under the Children and Families Act (2014) local authorities must provide support for care leavers with their former foster families up to age 21 ('Staying Put').

74. 16 and 17 year olds who present as homeless to Northern Ireland Housing Executive are referred to Social Services so their needs can be assessed and suitable accommodation provided. The government funds projects to support young people in their own homes or as part of transition from residential or foster care. These projects are regularly inspected.

75. In Scotland, anyone assessed as unintentionally homeless by local authorities is entitled to accommodation. The Scottish Government is committed to minimising time spent in temporary accommodation and statutory guidance for local authorities includes measures to minimise harm for children placed in temporary accommodation. The Scottish Government is increasing housing supply and, through preventative approaches such as Housing Options, emphasising early intervention to resolve problems before escalation.

76. Guidance on how corporate parents can ensure care leavers have access to housing options and support was published (2013). 16 year olds in residential, foster or kinship care are entitled to stay in their care setting until 21 and local authority provision of support for care leavers has been extended to 26 (Children and Young People (Scotland) Act (2014)).

77. In Wales, local authorities have a duty to prevent homelessness, including families with children at risk (Housing Act (2014)). The Supporting People Programme Grant

(2015/16) invested £13.5m to help homeless young people aged 16-24 or those at risk. £750,000 was invested in services for care leavers at risk of homelessness and a report by the Public Policy Institute for Wales commissioned into provision for this group. In December 2015 Welsh Ministers wrote to local authorities asking them to consider the report's recommendations.

78. The Isle of Man more than doubled the size of its Aftercare Service to enhance support to care leavers and open up the service's expertise to more young people over 16 who present as homeless or in need of support (2015). Temporary accommodation is rarely used and never for prolonged periods.

79. In Jersey Children Law (2002) requires accommodation for any child in need. The Leaving Care Service developed resources to provide a range of appropriate accommodation to meet young adults' needs up to the age of 25. The fostering team is developing a strategy similar to England's 'Staying Put'. In partnership with Barnardo's, 'practice flats' became available in 2016 for care leavers aged 17 and over.

80. All Overseas Territories have measures in place to protect vulnerable children. The Cayman Islands provides public funds to assist families and reduce homelessness. Accommodation must be provided for any child abandoned by parents/guardians (Children Law (2012 Revision)). On Montserrat a rental budget is provided for homeless vulnerable people.

#### **Segregation and Selection (Northern Ireland)**

81. There is no forced segregation in schools in Northern Ireland: a system of parental preference is in place across a range of sectors. The Education Minister is progressing a Bill through the Assembly to enshrine Shared Education in legislation and provide a legal definition of minimum essential requirements. Funding of approximately £650,000 per annum is provided to the Northern Ireland Council for Integrated Education to provide assistance and advice to stakeholders to establish and further develop an integrated sector.

82. Statutory guidance on post-primary transfer (2009) states decisions on admission should not be based on perceived academic ability. Boards of Governors in all post-primary schools are legally required to have regard to this guidance in drawing up their admissions criteria.

#### **Immigration and Asylum**

83. Any unaccompanied child who arrives in the UK has the same benefits as 'looked after children', and is entitled to additional support from an independent advocate (Children Act). The best interests of the child is a primary consideration in all decisions. The Borders, Citizenship and Immigration Act (2009) imposes a duty on the UK Government to ensure immigration, asylum and nationality functions have regard to safeguarding and promoting the welfare of children.

84. Unaccompanied asylum-seeking children (UASC) are provided with specialist legal advice and support and may be detained only in exceptional circumstances e.g. for their own safety. In rare cases, older UASC may be detained for security purposes if it is believed they pose a genuine threat to public safety.

85. UASC assigned refugee status or humanitarian protection are usually granted leave to remain for five years, after which they can apply for indefinite leave to remain. A child refused asylum may be granted leave to remain for 30 months or until aged 17½. Caseworkers must consider compelling reasons to grant longer periods of leave, having regard to the child's best interests. In exceptional circumstances, UASC may be required to

return to their country of origin. This will occur after an appeal hearing and only if reception arrangements are safe and there is no risk of breaches to human rights.

86. The UK announced work with the UN High Commissioner for Refugees on a new initiative to resettle unaccompanied refugee children from conflict regions such as Syria (2016). Up to £10m will be provided to support vulnerable refugee and migrant children in Europe.

87. In England and Wales, the Modern Slavery Act (2015) includes a presumption about age to protect children who are trafficked or suspected of being trafficked. Where there is uncertainty over age, this provision puts on a statutory footing the presumption they are under 18. This only ends when a local authority assessment takes place or the person's age is otherwise determined.

88. Trafficked children or those suspected of having been trafficked in Northern Ireland are considered to be 'children in need' (Children (NI) Order 1995). Providing a safe living environment is a priority. A dedicated assessment and reception residential facility opened in 2014 for children aged 13-17. Younger children are placed in foster care. Any separated child presenting in Northern Ireland is treated as a child first. Where a child's age is disputed an assessment will be carried out. Court will be the ultimate arbitrator in determining age. An Independent Guardianship Service will be established (2016) for child victims and potential victims of human trafficking and separated children.

89. The 'Scottish Guardianship Service' provides guardians for UASC throughout the asylum procedure and integration into Scotland. The new Human Trafficking and Exploitation (Scotland) Act 2015 requires: Ministers to ensure the best interest of the child is paramount in decisions relating to migrant, asylum-seeking or refugee children and provide guardians to unaccompanied child victims of trafficking or those vulnerable to being trafficked; and local authorities and health boards to apply a presumption of age and support where there is reason to believe the individual is a child. 'New Scots: Integrating Refugees in Scotland's Communities' (2013) is a 3 year strategy to support refugees to rebuild their lives in Scotland.

### **Youth Justice**

90. There are no plans to change the minimum age of criminal responsibility in England and Wales. The Government believes those aged ten and over can differentiate between bad behaviour and serious wrongdoing and the public must have confidence the youth justice system will deal with offenders effectively.

91. For young people in England and Wales, custody is the last resort. Courts must consider alternative measures such as fines or community sentences. The youth remand framework (2012) includes higher statutory thresholds that must be met before anyone under 18 is remanded securely. The rules of summary trial in youth courts have been strengthened: the youth court is encouraged to retain cases unless the offense is so serious it falls within the scope of the Crown Court (Criminal Justice and Courts Act, 2015). Any proceedings in adult courts for under-18s should be analogous to the Youth Court.

92. The Government commissioned a behavioural specialist and former headteacher to review youth justice in England and Wales. He will examine evidence on what works to prevent youth crime, rehabilitate young offenders and how the youth justice system can interact effectively with other children's services. The UK withdrew plans for the secure college pathfinder (2015).

93. In Northern Ireland children under 18 are never tried as adults. Recent policy and procedural changes have led to the number of cases coming to the Public Prosecution Service for decision fall more than 40% between 2010 and 2013. The Youth Justice

System, underpinned by restorative justice, means few children aged under 12 enter the formal criminal justice system. The Department of Justice is taking steps to address reasons for overuse of remand in custody.

94. The Scottish Government is open to raising the minimum age of criminal responsibility. An Advisory Group was established to explore these issues and develop recommendations for consultation (2016). The Scottish Government promotes alternatives to prosecution, outlined in the Youth Justice Strategy (2015). The majority of children who commit offences are referred to Scotland's Children's Hearings system rather than court.

95. There are no plans for the Isle of Man to review the minimum age of criminal responsibility. The Youth Justice Team encourages multi-agency working to prevent offending or reoffending through prevention, restoration and integration. Jersey has a well-established juvenile justice system, including diversion measures and specialist children's courts. Prosecution for children under 12 should occur only in exceptional cases and with the Attorney General's consent. A similar approach is applied to children under 14.

96. Montserrat's Criminal Justice Bill, due to be enacted in 2016, will raise the minimum age from 10 to 12, and reform the Juvenile Justice System to protect the rights of children accused of committing offences. The Virgin Islands, with assistance of UNICEF Caribbean, plans to develop a comprehensive Juvenile Justice Strategy.

### **Life Sentences**

97. In England and Wales, anyone who commits a murder under 18 may be sentenced to Detention at Her Majesty's Pleasure (Powers of Criminal Courts (Sentencing) Act 2000). However, the Court must have regard to the starting point for determining a minimum term (12 years). Offenders may apply for a review of the length of their minimum term at the midway point. Applications are sent to a High Court judge who provides a recommendation to the Government on whether the original term should be reduced. The Government honours the High Court's recommendation in all cases.

98. Under sentencing legislation in Northern Ireland, anyone convicted of an offence when aged under 18 must not be sentenced to life imprisonment. Instead, the courts have a range of custodial options.

99. In Scotland, no such restrictions exist, though the court will generally take account of age when sentencing.

100. The Isle of Man recognises the Custody Act (1995), whereby children under 18 can be "detained during Her Majesty's pleasure", needs review. A public consultation is intended on proposals to reform sentencing (2016).

### **Child Sexual Abuse**

101. The UK is committed to tackling all forms of child abuse, including sexual abuse, exploitation and trafficking. In England and Wales, the law comprehensively covers the offences set out in the Optional Protocol, through the Modern Slavery Act (2015) and the Children and Adoption Act (2002). The Modern Slavery Act enhances support and protection for victims, including a statutory defence so victims are not inappropriately criminalised and provision for advocates to support child trafficking victims. The Modern Slavery Strategy, Tackling Child Sexual Exploitation Action Plan, and Serious Organised Crime Strategy all aim to tackle child abuse.

102. The Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) (2015) enhances protections for child victims, e.g. it sets out statutory aggravating factors for sentencing offenders, including that the offence was

committed against a child. It also provides an automatic statutory defence for children who commit certain offences as a direct result of being a victim of trafficking.

103. The Human Trafficking and Exploitation (Scotland) Act (2015) strengthens criminal law through a new single human trafficking offence for all forms of exploitation of adults and children, and increases the maximum penalty for offenders to life imprisonment. The Scottish Government is working with Police Scotland and other partners to ensure steps are taken to eliminate indecent images of children.

104. In Wales, Safeguarding Children Boards are required to take account of the needs of children at risk of trafficking. Multi-agency procedures where there are concerns a child has been trafficked form part of the 'All Wales Child Protection Procedures'. The Welsh Government established the Anti-Slavery Leadership Group and appointed an Anti-Slavery Co-ordinator (2011) to guard against slavery and provide support for survivors. The Social Services and Well-being (Wales) Act (2014) strengthens safeguarding arrangements through a 'duty to report': relevant partners will be required to inform the local authority where they have reasonable cause to believe a child is at risk.

105. Child sexual abuse is designated 'Strategic Policing Requirement' in England and Wales. The police must work together across boundaries to safeguard children and have stronger powers to disrupt offending before it happens. The Government has improved policing capabilities, including: £1.5m investment in a national network of Child Sexual Abuse coordinators and analysts; establishing a National Crime Agency-GCHQ Joint Operations Cell; and providing £10m to expand the Child Exploitation and Online Protection centre (CEOP).

106. Since May 2015 the National Crime Agency (NCA), including CEOP, has full powers to operate in Northern Ireland. This has resulted in significant operational activity, including a joint investigation with the Police Service of Northern Ireland into indecent images of children.

### **Child Sexual Exploitation (CSE)**

107. In England, the Government published 'Tackling Child Sexual Exploitation' (2015). A progress report will be published (2016). The strategy delivers system-wide improvements across law enforcement, children's social care, health and the justice system, including:

- work with the Personal Social Health and Economic Education Association to develop resources to help schools support children;
- the creation of a CSE Response Unit to support areas dealing with an influx of cases or issues requiring specialist knowledge; and
- the development of an awareness-raising film for all staff in the NHS about CSE.

108. To improve practice in Northern Ireland, a 'thematic review' report on cases involving children in or previously in care which triggered police investigation into CSE was recently published. A CSE Strategy is being developed.

109. In Wales, an Action Plan is being developed to ensure multi-agency response to CSE. The Welsh Government has: produced guidance on 'Safeguarding Children and Young People from Sexual Exploitation' (2011); developed a booklet aimed at supporting young people to protect themselves (produced in partnership with victims of CSE); and produced resources to help professionals talk to young people about CSE (2015).

110. The Scottish Government published 'National Action Plan to Tackle CSE' (2014) to raise awareness of exploitation, protect and support children at risk or affected, and bring

perpetrators to justice. Work to support practice improvement and workforce development is led by the National CSE Sub-Group.

**Goddard Inquiry**

111. The Government established the Independent Inquiry into Child Sexual Abuse, chaired by Justice Lowell Goddard, to consider the extent to which institutions in England and Wales failed in their duty to protect children. The Inquiry determines the terms of investigations. 13 investigations were announced for the first phase of work, including child sexual abuse in the Anglican Church, the Roman Catholic Church, and failures to protect children in Overseas Territories (2015).

112. Additional Inquiries include:

- the Wass Inquiry into allegations of child safeguarding issues on St Helena and Ascension. This found no evidence of corruption or endemic child abuse. An update on implementation of the Inquiry’s recommendations will be provided to UK Parliament by June 2016;
- an Independent Jersey Care Inquiry investigating unresolved issues in relation to historical abuse; and
- a Child Abuse Inquiry in Scotland investigating the nature and extent of abuse of children in care.

**Children in Armed Conflict**

113. Increasing the number of personnel recruited prior to their 18th birthday is one of many measures the Army Board endorsed to alleviate the risk of undermanning. To ensure a reasonable length of useful service, the minimum period for under-18 personnel is four years from the age of 18, compared with four years from attestation for those aged 18 and over.

114. The UK Government takes duty of care towards all recruits seriously, in particular for those under 18. All recruits aged under 18 receive key skills education in literacy and numeracy, should they need it, and are enrolled onto apprenticeships. Effective and independently verified safeguards are in place.

**Arms Exports**

115. UK export control law prohibits export of arms to all countries unless authorised by a licence from the Government. The UK will not issue a licence if there is a clear risk the equipment might be used to commit serious violations of human rights or international humanitarian law. Information on exports and gifted equipment to all countries is publicly available.

|                                       | <i>Final importer<br/>State(s)</i> | <i>Items per year</i> |      |      |      |      |      |
|---------------------------------------|------------------------------------|-----------------------|------|------|------|------|------|
|                                       |                                    | 2009                  | 2010 | 2011 | 2012 | 2013 | 2014 |
| <b>SMALL ARMS</b>                     |                                    |                       |      |      |      |      |      |
| 1. Revolvers and self-loading pistols | Afghanistan                        | 339                   | 15   |      | 8    | 44   | 94   |
|                                       | Iraq                               |                       | 50   | 109  |      |      | 15   |
|                                       | Nigeria                            |                       |      | 40   |      |      |      |
|                                       | Somalia                            |                       |      |      | 50   |      |      |
| 2. Rifles and carbines                | Afghanistan                        | 16                    | 120  |      |      |      |      |
|                                       | Colombia                           |                       |      | 1    |      |      |      |

|                       | <i>Final importer<br/>State(s)</i> | <i>Items per year</i> |      |      |      |      |      |
|-----------------------|------------------------------------|-----------------------|------|------|------|------|------|
|                       |                                    | 2009                  | 2010 | 2011 | 2012 | 2013 | 2014 |
|                       | Iraq                               | 12                    |      |      |      |      |      |
|                       | Philippines                        | 4                     |      |      | 313  |      | 4    |
| 3. Sub-machine guns   | Afghanistan                        |                       |      |      |      |      | 25   |
| 4. Assault rifles     | Afghanistan                        | 2,555                 | 49   | 87   | 20   | 53   | 57   |
|                       | Iraq                               | 290                   |      | 578  |      |      | 37   |
|                       | Nigeria                            |                       |      | 60   |      |      | 4    |
|                       | Somalia                            |                       |      |      | 50   |      |      |
| 5. Light machine guns | Afghanistan                        |                       |      |      | 5    | 1    |      |
| <b>LIGHT WEAPONS</b>  |                                    |                       |      |      |      |      |      |
| 1. Heavy machine guns | Afghanistan                        | 359                   |      |      |      |      |      |
|                       | Iraq                               | 120                   |      | 35   |      |      |      |
|                       | Philippines                        | 6                     |      |      |      |      |      |
|                       | Sudan                              | 6                     |      |      |      |      |      |

## Part II

116. This section provides an overview of changes to children's rights in the UK since the State Party Report in 2014. Annex B provides further detail.

### England

- Free childcare for all working parents of 3-4 year olds will double to 30 hours a week from 2017. The early years Pupil Premium (2015) supports disadvantaged 3-4 year olds.
- £1.4 billion Government investment to improve access and quality of children and young people's mental health services.
- Reforms to qualifications and the national curriculum and extension of the Academies programme aim to ensure every child can access high-quality education regardless of their background. Continued investment in the Pupil Premium seeks to narrow the attainment gap.
- Reforms to children's social care aim to protect children from harm and support them to succeed, including: improvements to the quality of social workers; robust action to tackle failing areas; a duty on local authorities to support care leavers to stay with their former foster families up to age 21; and improved support for children in care, adoptive families, and children with SEN and disabilities through the Children and Families Act (2014).

### Northern Ireland

- The Stormont House Agreement (2015) announced potential capital funding of £500m over ten years in shared and integrated education. The Education Minister announced a major review of future planning and development of integrated education.

- Strategies to Enhance and Protect the Development of the Irish Language to Enhance and Develop the Ulster-Scots Language, Heritage and Culture (2015) promote the use of Irish and Ulster-Scots languages in the community, media and economic life.
- A Disability Sport and Active Recreation Action Plan is under development to improve public understanding of and strategic investment in disability sport.
- Revised guidance 'Regional Good Practice Guidance on Meeting the Accommodation and Support Needs of 16-21 year Olds' (2014) encourages a multi-agency approach to helping young people, irrespective of the agency initially approached.

### **Scotland**

- Free early learning and childcare expanded to 600 hours per year for 3 and 4 year olds and disadvantaged 2 year olds.
- Education (Scotland) Bill promotes equity in education and takes steps towards narrowing the attainment gap. £100m will be invested to support authorities and schools in areas of significant deprivation, raise attainment and reduce the impact of poverty on educational outcomes.
- Smoking Prohibition (Children in Motor Vehicles) (Scotland) Act 2016 prohibits smoking in private motor vehicles in the presence of children.
- Poverty and inequality: new funding to support voluntary organisations tackle poverty, support parents and improve learning (2015).

### **Wales**

- Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015: improves prevention and support for victims of gender-based violence, domestic abuse and sexual violence
- Qualifications Wales: a new body to monitor and improve standards of qualifications taken by students in Wales aged 14-19.
- The National Adoption Service for Wales: oversees consistency, development and improvement in both council and voluntary sector adoption services and encourage sharing of best practice.
- Wellbeing of Future Generations (Wales) Act 2015: identifies goals for all public bodies to improve economic, social, environmental and cultural wellbeing.

### **Crown Dependencies**

- In the **Isle of Man**, the Strategic Plan for Mental Health and Wellbeing was approved by the Tynwald (December 2015).
- Amendments to Employment (**Jersey**) Law 2003 in September 2015 introduced rights to antenatal care, parental and adoption leave, and flexible working.
- Amendments to Jersey's adoption law (2015) bring it into compliance with the Council of Europe 2008 Convention on Adoption.
- Regulation of Care (Jersey) Law 2014 was approved. Regulations will be developed covering children's homes, foster care, day care and education.
- Regulations (2014) require children in Jersey to wear a protective helmet if they are aged 13 or under and cycling.

- Jersey established a ‘1001 Critical Days and Early Years Taskforce’ to provide strategic leadership for, and coordinate policy across, early years (2015).

### Overseas Territories

- **Anguilla:** the Domestic Violence Act 2015 strengthens protection for victims. The Social Protection Act 2015 establishes a social benefits system.
- **Bermuda:** delivered child sexual abuse training across the island and updated the 2013 Human Rights Act to prohibit discrimination by age or sexual orientation.
- **The Cayman Islands:** introduced a new foster care policy and commissioned a UK Children’s Services professional to look at improving safeguarding.
- **Falklands Islands:** presented a memorandum of understanding and child safeguarding roadmap at the Joint Ministerial Council to facilitate cross-Territory cooperation on child safeguarding.
- **Pitcairn Islands:** Child Safety Reviews (CSR) are conducted biannually. The recommendations from the 2015 CSR are being reviewed. The Child Safeguarding policy was updated (2015).
- **St Helena, Ascension and Tristan da Cunha:** have introduced a process to approve prospective adopters and match children to adopters. The Disclosure and Barring Service Ordinance will be enacted in 2016. Additional social workers, legal staff and police were employed to improve services to prevent abuse.
- **Turks and Caicos:** passed four Organisations of Eastern Caribbean States (OECS) model family laws bills in children care, protection and adoption.

There are ongoing discussions with Guernsey regarding ratification of the UNCRC. The UK Government and HM Government of Gibraltar reiterated their commitment to working together to extend the UNCRC to Gibraltar (2015).

## Part III

117. Where available, disaggregated data are presented for the last three years. In some cases where data are not available, a close match is provided. Where data are not reported, there are no reported cases or Government data are not collected. Comparisons between UK jurisdictions must be made with care because of definitional and contextual differences. Annex C presents full data tables including source information.

### Consolidated children and social sector budget

118. The largest areas of public spending in the UK directly benefiting children are social security; health services; education; early childhood development; and child protection. Data for Overseas Territories are presented in Annex C.

*Table 1. UK Expenditure on Children’s Social Services (£m)\* Total spend, England, Scotland, Wales and Northern Ireland.*

|                             | 2010-11  | 2011-12  | 2012-13  | 2013-14  |
|-----------------------------|----------|----------|----------|----------|
| Total Spend                 |          |          |          |          |
| Social Security             | £33,245m | £35,137m | £35,836m | £35,949m |
| Health Services             | £7,323m  | £6,725m  | £7,900m  | n/a      |
| Education Spending          | £58,840m | £59,081m | £60,282m | £62,670m |
| Early childhood development | £4,528m  | £4,403m  | £4,880m  | £5,155m  |
| Child protection measures   | £7,260m  | £7,309m  | £7,604m  | £7,778m  |

Table 1. UK Expenditure on Children's Social Services (£m)\* Total spend, England, Scotland, Wales and Northern Ireland.

| (% of GDP)                  |      |      |      |      |
|-----------------------------|------|------|------|------|
| Social Security             | 2.3% | 2.3% | 2.2% | 2.1% |
| Health Services             | 0.5% | 0.4% | 0.5% | n/a  |
| Education Spending          | 4.0% | 3.8% | 3.8% | 3.7% |
| Early childhood development | 0.3% | 0.3% | 0.3% | 0.3% |
| Child protection measures   | 0.5% | 0.5% | 0.5% | 0.5% |

\*Using 2014-15 prices as deflator  
2014-15 data not yet available

Table 2. Jersey departmental budgets – specific spend on children

|  | Total  | Total  | % of total Government expenditure <sup>1</sup> | % of GVA <sup>2</sup> |
|--|--------|--------|--|-----------------------|
| <b>Health</b>  |        |        |  |                       |
|  | 2013   | 2016   | 2016   | 2016                  |
| Total spend on children's social services and women & children's hospital service  | £26.2m | £37.2m | 5.02%  | 0.9%                  |
| <b>Education</b>   |        |        |  |                       |
|  | 2013   | 2016   | 2016   | 2016                  |
| Total - including non-fee paying schools, fee paying schools, youth service, further and higher education  | £92.6m | £89.4m | 12.08%   | 2.16%                 |
| <b>Social Security; Maternity Benefits, Income Support associated with children, and Home Carers Allowance paid to a person caring for a child</b> |        |        |  |                       |
|  | 2013   | 2014   | 2014   | 2014                  |
| Social Security Tax Funded Benefits (Income Support)   | £7.3m  | £7.7m  | 1.1%   | 0.20%                 |
| Social Security Contributory Benefits (non-Tax Funded)   | £3.2m  | £3.1m  | n/a  | 0.08%                 |

<sup>1</sup>Government of Jersey departments' total net revenue expenditure  
<sup>2</sup>GVA - Gross Value Added

Table 3. Isle of Man budget (children and social sectors)

|   | 2013/14  | 2014/15  | 2015/16  |
|---|----------|----------|----------|
| Education budget  | £61.618m | £61.489m | £61.254m |
| DHSC – Children and Family services budget                    | £16.305m | £19.592m | £19.605m |
| Treasury Social Security Division – Non-Contributory Benefits | £78.151m | £79.894m | £79.115m |

**Up-to-date statistical data for the past three years on:***(a) Anti-social behaviour orders*

119. New powers under the Anti-social Behaviour, Crime and Policing Act (2014) make it easier for police, local authorities and other partners to take effective action to stop anti-social behaviour escalating. UK data are not available under the 2014 Act. Previous data can be found in Annex C. The Act does not apply to the Crown Dependencies and most Overseas Territories.

*(b) Use of Taser guns, Attenuating Energy Projectiles (AEPs) and rubber or plastic bullets*

120. No official data for England, Wales and Scotland. In Northern Ireland between 2012 and 2015 Tasers were used between five-10 times per year on children. Use of AEPs ranged from zero-nine times per year. There were no incidents in Crown Dependencies or Overseas Territories.

*(c) Stop and search*

121. England and Wales data are not available by age. In Northern Ireland the number of under-18s stopped and searched fell from 5,065 in 2012 to 4,505 in 2014. In Scotland 1,481 stop and searches were carried out on children between June-December 2015. The majority of these (1,200) were children aged 16 and over. In Jersey numbers increased from 21-34 and Isle of Man from 0-7 between 2013-2015. Most incidents involved boys.

*(d) Child victims paramilitary-style attacks in Northern Ireland*

| 2012 | 2013 | 2014 |
|------|------|------|
| 6    | 3    | 5    |

*(e) Care leavers' access to employment, education, training and adequate housing*

122. Around three in five care leavers aged 19 in England, Wales and Jersey, and two thirds in Northern Ireland, were in education, employment or training in 2014-15. Adequate housing figures are only known for care leavers in England, where 92% were suitably housed in 2014 and 2015 (excluding not knowns). No data available for Scotland, Isle of Man and most Overseas Territories.

Table 4. Number and proportion of care leavers aged 19 in EET

|                      | 2012-13 |     | 2013-14 |                  | 2014-15 |                  |
|----------------------|---------|-----|---------|------------------|---------|------------------|
|                      | N       | %   | N       | %                | N       | %                |
| England <sup>2</sup> |         |     | 4,730   | 59% <sup>1</sup> | 4,560   | 59% <sup>1</sup> |
| Wales                | 199     | 56% | 234     | 55%              | 241     | 60%              |
| Northern Ireland     | 120     | 56% | 116     | 66%              | 144     | 68%              |
| Jersey               |         |     |         |                  | 33      | 60%              |

<sup>1</sup>Excluding not knowns  
<sup>2</sup>2012-13 figures not provided due to definition change

*(f) Children subjected to female genital mutilation (FGM)*

123. There is currently limited data on prevalence of FGM in the UK; however, in England new NHS data are being collected. Data from July-September 2015 shows there were 1,385 newly recorded cases of FGM. Of these 17 girls were under 18 years of age. A

2015 study estimated approximately 137,000 women and girls who had migrated to England and Wales were living with its consequences (Annex C). The law on FGM has been strengthened in Great Britain (Annex B).

(g) *Mental health services*

124. England: there are no recent data on mental health prevalence or services. A national prevalence survey is being commissioned (to report in 2018). Routine national data on waiting times are not collected, however new data, collected from January 2016, will report access and waiting time information for specific services. In 2014-15, 391 under-18s, of whom 75 were under 16, were treated in adult psychiatric wards, up from 357 in 2011-12 and 219 in 2012-13. There are no data on numbers treated in Assessment and Treatment Units. In 2014-15, 145 children were detained in police cells under the Mental Health Act, down from 161 in 2013-14, and 255 in 2012-13.

125. Northern Ireland: at 31 March 2015, the number of children waiting for CAMHS was 1,026. There were 21 admissions to adult mental health wards involving under-18s in 2014-15.

126. Scotland: The proportion of children reported as having a long term mental health disorder increased between 2012-2014 (from 2.7% to 4.8%). The median wait time for specialist outpatient care in CAMHS increased from seven to nine weeks between quarters ending 30 September 2013-2015.

127. Wales: the number on waiting lists to start CAMHS treatment increased from 1,913 in 2012-13 to 3,029 in 2014-15.

128. Numbers of children on waiting lists for CAMHS in Jersey fell from 83 at 1 April 2013 to 35 at 1 December 2015. In the Isle of Man, numbers of child mental health referrals increased from 345 to 372 between 2013-2015. In January 2016, 90 children were waiting to access services. Average waiting time for initial assessment is 4 weeks, treatment waiting list following assessment is 10 weeks, and specialist assessment for neuro-developmental disorders is 26 weeks. For Overseas Territories, see Annex C.

(h) *Child poverty*

Table 5. UK (England, Scotland, Northern Ireland and Wales) children facing relative and absolute low income after housing costs (AHC) and combined low income and material deprivation before housing costs (BHC)

|  | 2011/12 |     | 2012/13 |     | 2013/14 |     |
|--|---------|-----|---------|-----|---------|-----|
|  | Number  | %   | Number  | %   | Number  | %   |
| Relative low income AHC                          | 3.6m    | 27% | 3.7m    | 27% | 3.7m    | 28% |
| Absolute low income AHC                          | 3.9m    | 29% | 4.1m    | 31% | 4.1m    | 31% |
| Combined low income and material deprivation BHC | 1.6m    | 12% | 1.8m    | 13% | 1.7m    | 13% |

129. 155. In Jersey, in 2014/15, 29% of children (4,900) were in relative low income AHC.

(i) *Child malnutrition, including under- and over-nutrition and micronutrition deficiencies*

- England: in 2014/15 20% of children in reception (age 4-5) were overweight or obese and 1% underweight. In Year 6 (age 10-11) 33% were overweight or obese and 1%

underweight (based on BMI status, which does not necessarily indicate malnutrition). These proportions are unchanged for the last three years.

- Wales: the number of finished consultant episodes for Malnutrition, Undernutrition, Overnutrition and Micronutrition deficiencies rose from 983 in 2012/13 to 1,124 in 2013/14, then fell to 1,095 in 2014/15.
- Scotland: the number of children with malnutrition, including under-nutrition, over-nutrition and micro-nutrition deficiencies, rose from 194 in 2013 to 246 in 2014.
- Jersey: in 2014/15 24% boys and 22% girls age 4-5 were overweight or obese and 39% boys and 32% girls age 10-11 were overweight or obese. The numbers underweight at both ages were negligible.
- Bermuda: in 2014, 8% of five year olds were underweight and 18% overweight.
- St Helena: in 2014, 1.5% of under-5s were underweight, 3% of 3-11 year olds and 2% of 11-18 year olds were obese.

(j) *Children using food banks*

130. No Government data are currently collected. In Jersey, a pilot was agreed with food banks on the island to collect data for the first quarter of 2016.

(k) *Homeless children*

131. Between 2012/13-2014/15 the number of homeless households with dependent children increased from 34,480 to 36,480 in England but fell in Wales from 5,795 to 5,070. Over the same period, numbers of homeless children increased from 6,725 to 7,346 in Northern Ireland but fell in Scotland from 16,043 to 14,117.

132. The number of children placed in temporary accommodation in England rose from 76,040 (Q1 2013) to 103,430 (Q3 2015). Households with children in B&Bs for over 6 weeks rose from 760 (Q1 2013) to 960 (Q4 2015). In Scotland, numbers of homeless children in temporary accommodation decreased from 4,874 in 2012/13 to 4,555 in 2014/15. Jersey had <5 young people in temporary accommodation for over 6 weeks in December 2015.

(l) *Children with disabilities and special educational needs in education or out of school*

- England: numbers of pupils with special educational needs (SEN) in state-funded primary and secondary and maintained and non-maintained special schools fell between 2013-2015 from 1,455,000 to 1,207,455, decreasing from 19.1% of all pupils to 15.4%. SEN is more prevalent among boys than girls. In January 2015 moderate learning difficulties were most common (primary need of 23.8% of pupils), followed by speech, language and communications needs (18.8%).
- Scotland: numbers of children with disabilities and SEN attending mainstream schools and special schools, or being out of school increased between 2013-2015 from 131,621 to 153,190 (up from 19.5% of all pupils to 22.5%).
- Wales: numbers of children with SEN attending mainstream schools, special units in mainstream schools and special schools, or being out of school increased between 2012-2014 from 104,823 to 106,152.
- Northern Ireland: numbers of children with SEN attending mainstream learning support centres, mainstream schools and special schools increased in 2013-2015 from 67,337 to 71,018. As a proportion of all pupils this remained stable (21-22%). Mild

learning difficulties, cognitive/learning and dyslexia/specific learning difficulties were most common.

- Isle of Man: numbers of children with disabilities and SEN in mainstream schools and SEN units remained stable (2,100 in 2013 and 2,050 in 2015).
- Jersey: 1,805 children were on the Inclusion Register for SEN in 2015.
- Overseas Territories: see Annex C.

(m) *Children in conflict with the law prosecuted in youth courts, adult courts, and diverted from prosecution*

- England: between 2012-2014, numbers of young people convicted in Magistrate's and Crown Courts fell from 43,668 to 30,145 and from 1,834 to 1,376 respectively. The number of cautions for disorder fell over this period from 32,673 to 21,182.
- Scotland: numbers of children prosecuted in youth courts, adult courts and diverted from prosecution fell from 16,271 to 12,318 between 2012/13 and 2013/14.
- Northern Ireland: numbers of juvenile convictions at youth courts increased between 2012- 2014 (1,153 to 1,249) and the number in adult courts fell (46 to 10). Number of juveniles receiving out of court diversionary disposals fell between 2012-2014 from 2,292 to 1,614.
- Isle of Man: between 2012-2015 the number of children prosecuted in youth courts fell from 92 to 84 and numbers referred to the Youth Justice Team fell from 412 to 270.
- Jersey: numbers of children diverted from prosecution fell from 242 to 162 between 2013-2015.

(n) *Children subjected to solitary confinement/segregation in custody*

133. England and Wales: single separation incidents per 100 young people in custody in secure training centres and secure children's homes fell from 54.7 per month in 2011-12 to 39.0 in 2012-13.

(o) *Children involved in sexual exploitation and provided access to recovery and social reintegration services*

134. In England, sexual abuse was the initial category of abuse for 2,870 children (4.6%) who became subject to a child protection plan in 2014-15. Although there are no official data on children involved in sexual exploitation or pornography, England has started collecting data on factors identified at end of assessment, including CSE and trafficking. Scotland collects data on numbers of crimes and there are UK police-recorded crimes data on number of sexual offences against young people (see Annex C).

Table 6. Number of children involved in CSE and indecent images of children offences (Jersey)

|                                      | 2013 | 2014 | 2015<br>(at 1 December) |
|--------------------------------------|------|------|-------------------------|
| Number of child victims in CSE cases |      |      |                         |
| Total                                |      | 60   | 86                      |
| Gender                               |      |      |                         |
| Male                                 |      | 7    | 16                      |
| Female                               |      | 53   | 70                      |

*Table 6. Number of children involved in CSE and indecent images of children offences (Jersey)*

Number of indecent images of children offences

|       |   |    |    |
|-------|---|----|----|
| Total | 6 | 11 | 14 |
|-------|---|----|----|

*Table 7. Number of children identified as potential victims of trafficking for CSE (UK)*

|                     | 2012 | 2013 | 2014 |
|---------------------|------|------|------|
| UK Total            | 101  | 144  | 157  |
| Gender              |      |      |      |
| Male                | 6    | 16   | 16   |
| Female              | 95   | 128  | 141  |
| Geographic location |      |      |      |
| England             | 901  | 124  | 148  |
| Northern Ireland    | 0    | 11   | 1    |
| Scotland            | 9    | 9    | 6    |
| Wales               | 2    | 0    | 2    |

Notes: 1 this figure has been derived.

**See Annex C for an update of overall progress key data**