



Convention on the Rights of the Child

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Committee on the Rights of the Child Seventy-second session

Summary record of the 2114th meeting

Held at the Palais Wilson, Geneva, on Monday, 23 May 2016, at 3 p.m.

Chair: Mr. Mezmur

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The meeting was called to order at 3 p.m.

Consideration of reports of States parties *(continued)*

Fifth periodic report of the United Kingdom of Great Britain and Northern Ireland (CRC/C/GBR/5; CRC/C/GBR/Q/5; CRC/C/GBR/Q/5/Add.1)

1. *At the invitation of the Chairperson, the delegation of the United Kingdom of Great Britain and Northern Ireland took places at the Committee table.*
2. **Mr. Kissack** (United Kingdom), introducing his country's fifth periodic report (CRC/C/GBR/5), said that the complex constitutional landscape of the United Kingdom complicated but did not hinder the effective implementation of the Convention. Northern Ireland, Scotland and Wales were governed by their own independent legislatures in respect of devolved matters such as health and education, with the level of devolution varying for each nation. The central Government and Parliament legislated on all non-devolved matters, such as immigration and defence, across the whole of the United Kingdom. The Crown Dependencies, namely Jersey and the Isle of Man, had their own legislative assemblies, which handled matters relating to education, health, children's services, policing and justice. The Overseas Territories of the United Kingdom each had their own government and laws. The policy of devolution offered flexibility in responding to local issues that might not be equally prevalent in each jurisdiction, without prejudice to the possibility of the devolved governments working in partnership to address common issues when the need arose.
3. Like many other States, the United Kingdom had faced significant challenges in the wake of the global financial crisis. Against that backdrop, all jurisdictions had been obliged to take difficult decisions on government spending. In addition to those financial challenges, a number of new or exacerbated social challenges had emerged, including the increase in cases of online grooming and cyberbullying resulting from the growing use of social media; the greater sexualization of children; the rise in the number of young people vulnerable to radicalization; and the influx of unaccompanied refugee children from the Syrian Arab Republic and other conflict regions, some of whom were victims of human trafficking and sexual exploitation. In spite of those challenges, the different jurisdictions had redoubled their efforts to promote children's rights and had found a number of innovative solutions to overcome them.
4. The new Children and Social Work Bill, the purpose of which was to overhaul the current children's social care system so as to raise standards of professional practice and realize the rights of children within the social care system, had recently been brought before Parliament.
5. Since 2008, the United Kingdom had made significant progress in reforming its education system; developing childcare services and early childhood education; enhancing support for children with special educational needs and disabilities; and improving social and health-care services. However, more needed to be done to achieve the full realization of the rights enshrined in the Convention. While the approach to dealing with specific issues in different parts of the United Kingdom often varied, ministers from all governments remained committed to achieving that goal. The role played by the Children's Commissioner of each of the four main jurisdictions was invaluable in that endeavour, and the continuing engagement and expert input of third sector organizations, which had influenced and improved many policies concerning children and provided some of the best local services promoting children's rights, should also be acknowledged. In addition, the governments of the different jurisdictions continued to seek input from children at the local and national levels when shaping policies and services.
6. **Ms. Sandberg** (Coordinator, Country Task Force) said that the Committee was concerned about the possible repeal of the Human Rights Act of 1998 and its replacement

with a Bill of Rights that would diminish the protection afforded to children's rights. She asked why the State party attached such importance to repealing the Human Rights Act; how it would ensure that a Bill of Rights afforded children's rights the same level of protection; whether it would incorporate additional child-specific rights into such a Bill of Rights; and whether it planned to conduct a detailed child rights impact assessment to inform the content of any new legislative proposals. She would appreciate an update on the progress made towards drafting a Bill of Rights for Northern Ireland that incorporated the principles of the Convention.

7. She would like to know how the central and devolved governments addressed any gaps in the protection of children's rights arising from the fact that the State party had not incorporated the provisions of the Convention into its domestic legal framework; whether they planned to introduce legislation requiring all public bodies to respect the principles enshrined in the Convention; whether there were plans to make child rights impact assessments for legislation and policies concerning children a routine practice in England and Northern Ireland, and to make such assessments, which were currently voluntary, compulsory in Scotland; and how the State party planned to improve local authorities' understanding of child rights impact assessments. Did it intend to establish a high-level body to coordinate and monitor efforts to implement the Convention across the central and devolved governments? It would also be useful to know whether there were any plans to revise both the countrywide strategy and the individual action plans of the devolved jurisdictions for the implementation of the Convention to take account of the Committee's next set of concluding observations.

8. Noting that families with children and vulnerable groups were generally the most disadvantaged by current economic policies, she asked whether the State party intended to begin conducting budgetary analyses to show how resources were being allocated to advance children's rights.

9. Although the State party was the world's second largest donor, children's rights were still not fully mainstreamed in the development cooperation policies. Would the State party consider establishing a holistic framework for children's rights in order to ensure that the principles enshrined in the Convention were incorporated into its foreign policy? The Committee was concerned about the fact that the aid being invested in improving education and health-care services overseas was increasingly being donated by private actors — a situation that risked transforming the health and education sectors into business activities and could run counter to the best interests of the child. She asked whether the State party planned to introduce legislation that would oblige businesses to respect children's rights in their global operations; whether the updated version of the National Action Plan implementing the United Nations Guiding Principles on Business and Human Rights would address children's rights; and whether the State party would consider making it compulsory to assess the impact of public procurement activities on children's rights.

10. Unfortunately, the best interests of the child were still not a primary consideration in the drafting of legislation and policies or taking of administrative or judicial decisions concerning children, nor were they systematically considered in decisions concerning immigrant or asylum-seeking families, separated children or the deportation of a parent. She asked how the State party planned to correct that oversight.

11. She wished to know whether the State party would consider making it standard practice to conduct a public inquiry into all self-inflicted deaths of children in prison and extending the scope of all future reviews of that phenomenon to include minors under the age of 18 years old. She would also like to know of any plans to make independent public reviews of unexpected deaths of or serious injury to children a standard practice in Northern Ireland, Scotland and Wales.

12. Across the United Kingdom, many children reportedly had the impression that they were not listened to or taken seriously by social workers, reviewing officers and paid carers. She invited the delegation to comment on that perception. The reduced scope and availability of legal aid in the State party as a whole had effectively curtailed children's access to justice, as it made it more difficult for them to report acts of violence. She asked how the State party planned to remedy that situation.

13. Noting that a disproportionate number of persons stopped and searched by police officers in Northern Ireland and Scotland were minors, she asked how the State party intended to prevent children from being singled out for such checks. In Northern Ireland, the police service had disclosed the names and released pictures of children as part of an investigation into rioting and anti-social behaviour, potentially identifying them to non-State actors with an interest in such phenomena and putting their safety at risk. She sought assurances that the commitment to change its practices made by the police service in Northern Ireland was binding.

14. The increased use of physical restraint and other restrictive measures against children in custodial settings in England was a major cause for concern. She asked what steps the State party envisaged taking to ensure that such measures were taken as a last resort only to prevent imminent harm. She invited the delegation to comment on reports that, in Scotland, children with disabilities were often subjected to seclusion and restraint at school. The Committee was alarmed by the all too frequent use of Taser guns, attenuating energy projectiles and plastic bullets against children in Northern Ireland, as well as by the incidence of paramilitary-style attacks on children. She asked whether the policy relating to transitional justice in Northern Ireland specifically addressed attacks of that kind.

15. Noting that the State party had made progress in preventing corporal punishment, she enquired as to the reasons for the State party's continued reluctance to prohibit it by law. She asked what strategies and measures the State party had adopted to prevent and combat domestic violence and, in particular, violence against women and girls, bearing in mind the need to intervene as early as possible and to view the issues from a child's perspective.

16. Although the number of cases of child sex abuse in England had increased by 60 per cent over the past four years, the number of arrests made and prosecutions brought had decreased. She asked how the State party identified victims of abuse; whether professionals working with children were trained to spot the tell-tale signs; how the different agencies working in that field coordinated their efforts; whether police forces were equipped to deal with the large number of cases; and how the State party ensured that perpetrators were prosecuted. She also wished to know what the State party was doing to address the numerous challenges facing social workers, which included staff shortages, a high turnover of existing social workers and burdensome caseloads.

17. She asked whether the measures taken by the State party to prevent and combat female genital mutilation and forced child marriage had proven to be effective, given the large number of children concerned, and how it protected the victims. Noting that intersex children were often subjected to harmful treatments before they were old enough to consent, and that such treatments were often funded directly by the Government, she asked whether the State party had considered changing its stance on that issue in order to afford intersex children greater protection.

18. Lastly, she asked whether schools were legally obliged to adopt an anti-bullying policy that covered particularly vulnerable groups of children and, if they were, whether the children themselves were involved in drafting the policy; whether victims of bullying were given the opportunity to recount their experiences without the bullies being present; whether schools that failed to act upon reports of bullying incurred penalties; and what measures the State party had taken to address the growing problem of cyberbullying.

19. **Mr. Kotrane** (Country Task Force) asked how the State party would ensure that articles 22 and 37 (c) of the Convention were applied in all its Overseas Territories and Crown Dependencies following the planned withdrawal of the reservations made under those articles. He also wished to know whether the provisions of the Convention could be invoked directly before the national courts and whether judges drew upon them when handing down rulings.

20. While he welcomed the creation of the post of Children's Commissioner in each of the devolved jurisdictions, he would be interested to know whether the Children's Commissioner for Wales enjoyed full independence in the exercise of her functions and whether she was empowered to receive individual complaints from children. He asked whether the State party envisaged taking steps to enhance the powers of the different Children's Commissioners to receive complaints and investigate alleged violations of children's rights and to ensure that they received the human and financial resources necessary to function effectively.

21. The Committee remained concerned about the inconsistency in the legal definition of a child contained in the body of law of the United Kingdom. As a result of the disparities, acts of cruelty perpetrated against young persons aged between 16 and 17 years old were often overlooked. Discrepancies also persisted between the age of criminal responsibility and the minimum age of marriage in the four main jurisdictions of the United Kingdom and in the Overseas Territories. He asked whether the State party planned to adopt a definition that was fully in line with the Convention.

22. Noting that, in the four main jurisdictions of the United Kingdom, students attending State-funded schools were required by law to take part in a daily act of Christian worship, he said that, while religious education was not in itself objectionable, obliging students to participate in such acts, especially when they were not Christian, effectively violated their right to freedom of thought, conscience and religion.

23. **Ms. Aldoseri** (Country Task-Force) asked whether the Child Rights Indicator Framework in Northern Ireland had been finalized and when it was likely to be launched. She would like to know how the State party ensured that all children in all schools knew about the Convention and whether awareness-raising focused on vulnerable groups in particular in order to reduce discrimination. Was there a coordinated strategy to inform parents and ensure that teachers were made aware of the provisions of the Convention as part of their initial training?

24. Were there systematic mechanisms to ensure that civil society organizations and the State party cooperated in promoting the protection of child rights, for example by monitoring the implementation of the Committee's concluding observations? Did civil society organizations have adequate resources to ensure they could support children's participation in policymaking?

25. On non-discrimination, she would like to know what steps were being taken to amend the 2010 Equality Act in order to protect children from discrimination on the basis of age, in compliance with the Convention. She wondered whether the principle of non-discrimination as set forth in the Convention was clear to policymakers in Wales, so that it was possible to combat gender stereotyping and address the experience of children belonging to vulnerable groups and minorities such as migrant, Gypsy and Traveller children. What efforts were being made to remove the barriers that prevented children belonging to such groups from exercising their rights on the same basis as others? She would like to hear about any efforts made to raise awareness among children and the general public and thereby help to remove the stigma that attached to such children, often encouraged by media reporting. What further steps was the State party taking to provide Gypsies and Travellers with affordable, quality and culturally appropriate accommodation?

26. She was concerned that only children who could prove 12 months' residence were entitled to legal aid and that welfare reforms and cuts had disproportionately affected Roma and Traveller children's access to legal aid. Other forms of legal discrimination persisted in the State party: in some of its territories migrant children were obliged to pay up to three times as much as nationals for certain services.

27. On freedom of expression, she asked what mechanisms ensured that Gypsy and Traveller children could have their views taken into account in relevant decision-making and whether those mechanisms were systematically evaluated. She would like to know how the State party now ensured continuity and quality in Welsh-language radio broadcasting, in view of recent cuts that could have a negative impact on Welsh children's ability to express themselves in their own language.

28. On children's right to be heard and to participation, she wondered whether children were encouraged to participate in decision-making processes in school, for example in setting the curriculum, and if so, how far their views were taken into account. The Scottish Youth Parliament had impressive provision for consultation: what impact did those voices have in legislation, policymaking and decisions on relevant services? She would like to know why the Children and Young People's Assembly for Wales, Funky Dragon, had been dissolved without consulting children and why there was no youth parliament in Northern Ireland and other territories. Noting that children aged 16 and 17 years old had voted in the 2014 Scottish independence referendum, she wondered whether they would have the same opportunity in the forthcoming referendum on membership of the European Union and whether the State party planned to lower the voting age to 16 years.

29. There were reports that implementation of the Prevent Strategy was resulting in stigmatization of Muslim children and communities and she would like to know how the State party was dealing with that situation. What measures were in place to monitor the use of stop and search powers by police so as to ensure that Convention rights were not violated? She would appreciate any age-disaggregated data on that issue. She would also appreciate an update on the State party's follow-up to the previous concluding observations on measures to deal with antisocial behaviour, and notably the use of Taser guns on children who could, it seemed, be as young as 10 years of age.

30. **Ms. Khazova** (Country Task-Force) said that the general climate of intolerance of children and negative stereotyping mentioned by the Committee in its previous concluding observations persisted. The media continued to contribute to that negative image and she wondered what was being done at the various levels of government, without resorting to censorship, to promote awareness of children's value, for otherwise progress on children's rights would be impossible. It was also important to remove from the legislation of certain Overseas Territories pejorative wording such as "illegitimate children" or even "bastard", which underpinned persistent discrimination against certain categories of children in terms of legal status and rights.

31. She would appreciate the delegation's comments on reports that children of migrant parents were facing restrictions in obtaining a birth certificate and nationality, with a resultant risk of becoming stateless. In England, children in foster care reported being denied the right to express their identity through their sexuality, their culture, their language or their religion. She would like to know whether children living in adoptive families in the State party were permitted to fully express their identity, given that the 2014 Children and Families Act had repealed the requirement for agencies and authorities to take due account of such characteristics in placing children, notwithstanding the provisions of the Convention.

The meeting was suspended at 3.55 p.m. and resumed at 4.15 p.m.

32. **Mr. Archer** (United Kingdom) said that the Government believed that the Convention should guide its legislation on children and in 2010 had made a commitment to give due consideration to the Convention in policymaking. The principle it followed was not to incorporate the rather broad measures set out in the Convention and similar treaties into its domestic law, but instead to use a combination of law and policy development to make sure that the Convention was implemented. The aim was to obtain strong, effective legislation that was informed by the Convention. That required provisions that were specific enough to get purchase within the current legislative framework, and that would in many cases result in legislation resembling parts of the Convention. An example was the new Children and Social Work Bill, which set out certain principles that reflected article 3 of the Convention.

33. The Government was not convinced that making child rights impact assessments mandatory would improve the quality of policymaking or outcomes for children. Full impact assessments were carried out in some cases, and a “family test” was applied to evaluate new policies’ impact on children, but the objective was to ensure a culture of embedding children’s rights and interests in policy across the board from the start of the drafting process.

34. In 2013 statutory guidance had been issued requiring local authorities to have due regard to the principles of the Convention and ensure the involvement of young people in local policy. Children in care were listened to, but central Government did not generally require local authorities to adopt particular measures in order to deliver outcomes.

35. As to implementation of the Committee’s concluding observations, the Government would need to see what the recommendations were, and how they might apply to specific administrations, before deciding how to apply them. Past concluding observations had been implemented in various ways, as shown in the State party’s report and its replies to the list of issues.

36. The National Action Plan implementing the United Nations Guiding Principles on Business and Human Rights had recently been updated to refer to the potential for negative impacts and the need to take account of children’s interests. The Modern Slavery Act made clear that businesses were expected to avoid risk to children in their supply chains. Bids tendered for public contracts could be excluded if human rights violations were found; in some public procurement and commissioning processes children were involved.

37. The Government was aware of the survey evidence suggesting that children’s awareness of the Convention in England was low, but believed that there was a much wider understanding of the issue of rights and their underpinning principles. The survey evidence had nevertheless been a factor in the changes that had been made to the role of the Children’s Commissioners: they were now required to promote children’s rights and awareness of their own role as Commissioners, and to ensure that children were aware of and respected the rights of others. Government departments were frequently contacted by children and always replied. Ministers would sometimes meet with children and the Minister for Children in particular was very keen to meet with vulnerable children and children in care in order to understand their views. The national curriculum indicated that, in maintained secondary schools, children should develop an understanding of democratic government and their own rights and responsibilities. That principle provided a benchmark for academies also.

38. The Government sometimes invited NGOs and civil society to join it in looking at the way the Convention was being implemented in broad terms, and had done so during the preparation of input for the current dialogue, when members of the delegation had met with civil society groupings and the United Nations Children’s Fund (UNICEF). There were also regular contacts with NGOs working in particular areas of child protection and government

departments would invite civil society representatives to attend ministerial task forces, for example. It would be impossible to make policy without such contacts.

39. In England, the Children's Commissioner was a totally independent champion of children's rights and that independence had been even stronger since 2014: the appointment was for a single non-renewable term and the Secretary of State was no longer empowered to amend the Commissioner's report. The Commissioner was required to appoint an advisory board and to consult with young people on strategic priorities. Given the current financial situation, the Commissioner was considered to have reasonable resources. The Commissioner was empowered to investigate any complaint that might have wider implications for law and government, but not individual complaints. The reason was that, although the Commissioner had a strong support office, it would be overwhelmed by the level of investigations required from individual complaints. There was a strong set of complaints procedures available to children across central and local government.

40. **Mr. Holmes** (United Kingdom) said that the Convention was frequently mentioned by courts and tribunals in their judgments. There had been numerous recent Supreme Court judgments, such as the case of *ZH (Tanzania) (FC) v. Secretary of State for the Home Department*, in which Convention provisions had been expressly invoked. Although direct training in the Convention was not provided to legal professionals, reference was always made to its provisions where appropriate.

41. The Government believed that the Human Rights Act had created legal uncertainty and a democratic deficit by shifting decision-making powers on issues such as public expenditure to the courts, away from elected parliamentary representatives. It therefore planned to develop proposals for a new bill to replace the Human Rights Act that would better protect human rights and restore an appropriate constitutional balance between Parliament, the domestic courts and the European Court of Human Rights. The bill would remain faithful to the original principles of the European Convention on Human Rights but would aim to mitigate the expansion of those principles and rights by the European Court of Human Rights. It would be drafted in conjunction with civil society and the devolved administrations, and the drafting process would include formal consultations.

42. **Ms. McDaniel** (United Kingdom) said that there was no bill of rights for Northern Ireland at present. The possibility had been discussed during the talks leading to the Stormont House Agreement, the most recent political agreement in Northern Ireland, but no consensus had been reached between the parties at that time.

43. **Ms. McLeod** (United Kingdom) said that the Convention had not yet been incorporated into Scottish law but that the possibility was being considered under the National Action Plan for Human Rights. The Convention underpinned all key legislation on children nonetheless, besides being reflected in the "Getting it right for every child" approach in place in Scotland. The Children and Young People Act had introduced a duty for all Scottish ministers to raise awareness of the Convention and to report to Parliament on progress made in that area every three years. From 2017 onwards, the Act would also require public authorities in Scotland to report to the Government every three years on the steps taken to implement the Convention.

44. Assessments of the impact of policies and legislation to promote children's rights were carried out by all parts of the Scottish Government and guidance on how to conduct those assessments was made available to all public authorities in Scotland.

45. The Scottish Parliament had passed a motion in support of the 1998 Human Rights Act in 2014 and was continuing to discuss the issue with central Government in Westminster. In Scotland, the Children's Commissioner was fully independent of the Government and was not accountable to the Scottish Parliament in any way. The

Commissioner already had the power to conduct general investigations and would be able to undertake individual investigations from 2017.

46. **Ms. Daniel** (United Kingdom) said that ministers in Wales were required to ensure that they acted in accordance with the Convention when exercising their functions and making decisions, and also to promote knowledge and understanding of the Convention. Under the 2014 Social Services and Wellbeing Act (Wales), all bodies and persons with responsibilities under the Act were required to take the Convention's provisions into account in the exercise of their functions.

47. The approach to training on the Convention for persons who worked with young people had recently been amended and training services were now offered on a bespoke basis, specifically tailored to the context in which the individual or group in question worked. Local authorities received frequent visits, and were monitored to assess the extent to which they promoted awareness of the Convention and encouraged the participation of children. One of the 10 key principles on which the new curriculum to be introduced in Wales was based was that the Convention should always be taken into account in education. In response to the Committee's previous concluding observations (CRC/C/GBR/CO/4), in 2009 the Welsh Government had developed the "Getting it Right" Action Plan, which outlined the strategic approach used by Government ministers to coordinate implementation of the Convention in Wales.

48. The Children's Commissioner in Wales was authorized to conduct investigations but, since her remit did not extend to non-devolved issues, her powers were limited. The Welsh Government was supportive of a proposal to enable the Children's Commissioners of each nation to exercise jurisdiction over all subject matters.

49. **Mr. Jones** (United Kingdom) said that the best interests of the child were the primary consideration at all stages of the immigration process but that the principle could be outweighed by other factors, such as public interest or the need to protect against foreign criminals. When a family was due to be removed from the United Kingdom, an Independent Family Returns Panel was tasked with overseeing the entire process. Mandatory training for immigration service officers consisted of a general e-learning package, supplemented by more detailed, additional training for staff in decision-making positions and/or in direct contact with children. Training and guidance on the best interests of the child principle were put together by the Home Office in conjunction with civil society and international organizations including UNICEF. There was also a constructive ongoing dialogue with local authorities on how to improve the experience of children in the immigration system from both a policy and an operational perspective.

50. **Ms. Jackson** (United Kingdom) said that systems and methodologies for ensuring that children's voices were heard in education were no longer centralized and that it was down to individual schools and teachers to exercise their professional judgment in deciding how best to engage pupils. Typically, school councils were established to provide children with a medium for expressing their opinions and fostering dialogue with teachers. Schools were required to consult directly with pupils under the Children and Families Act of 2014 and had been issued with guidance on how to listen to children and involve them in decision-making. That guidance was mandatory for all maintained schools. The Office for Standards in Education, Children's Services and Skills (Ofsted) also engaged in discussion with pupils to learn about their experiences and opinions and reported regularly on its findings.

51. The central Government was responsible for setting the voting age for elections to the United Kingdom Parliament and the European Parliament while the devolved parliaments were responsible for setting the voting age for elections to the devolved parliaments. There were no plans to lower the minimum voting age to 16 years across the

board; such a decision would require a consensus that, despite numerous debates, did not exist at present. However, after the recent independence referendum the Scottish parliament had taken the decision to lower the voting age to 16 years for local and Scottish parliamentary elections. The Welsh parliament was also in favour of lowering the minimum age. Furthermore, various youth groups and youth committees were encouraged to become involved in decision-making processes.

52. **Ms. Brown** (United Kingdom) said that numerous steps had been taken to improve the portrayal of children in the media and in society more generally. More than 200,000 young people had taken part in the National Citizen Service since 2012 and the Government had committed to spending over £1 billion to extend its benefits to over 60 per cent of 16-year-olds by 2021. A bill to give the service permanent status was in the development stages. Other initiatives in that area had included the publication, in 2011, of the “Positive for Youth” document promoting positive images of young people, and the “Step Up to Serve” programme, which encouraged young people to engage in local social action projects and local-level decision-making. Furthermore, the new independent press self-regulation system introduced following the Leveson Inquiry should ensure that young people were portrayed more accurately and fairly in the media.

53. **Ms. McLeod** (United Kingdom) said that the Scottish Government supported the Sunday Mail Young Scot Award, which celebrated the achievements of young people in Scotland; provided funding for the Young Scot programme, which was designed to make young people confident, informed and active citizens; had issued around 24,000 Saltire Awards to youth volunteers in 2014 and 2015 and had designated 2018 to be the Year of Young People in Scotland, celebrated with a range of cultural and educational events to highlight young people’s contribution to Scottish society. In addition, a number of summits had been organized by the Scottish Youth Parliament to coincide with meetings of the Cabinet, giving members of the Youth Parliament the opportunity to meet with members of the Scottish Parliament and provide input on policy and legislation that had a real impact on the Government’s work.

54. **Ms. Daniel** (United Kingdom) said that children’s participation was key to the development of policy and legislation in Wales. The new Welsh participation programme, Young Wales, which was facilitated by six voluntary sector organizations working in the area of children’s and youth rights, had reached out to thousands of young persons, including children from marginalized communities, those living in poverty and children with disabilities, to encourage them to make their voices heard and provide input to the Government’s work. The model it used was very different to the Funky Dragon model, but participation was equally high and its influence was significant. In addition to conducting face to face consultations with young people, Young Wales had developed a very successful social media presence, attracting large numbers of followers on its Twitter and Facebook accounts and over 370,000 visits to its website. The third-party service provider had been selected in a fair and open procedure and received the same funding as the previous provider.

55. **Ms. McDaniel** (United Kingdom) said that, although there had been no progress towards the establishment of a youth assembly in Northern Ireland, the 18 representatives of Northern Ireland sitting on the United Kingdom Youth Parliament gave young people from Northern Ireland a channel through which to express their views and engage in campaigning and lobbying activities. The Northern Ireland Youth Forum had recently held a successful youth congress and youth panels were being set up by local councils to provide a conduit for young person’s views. The Safeguarding Board for Northern Ireland also had an important role in encouraging young people to share their views and the authorities aimed to ensure that children and young people were fully involved in the development of the nation’s new children’s strategy.

56. **Mr. Quinn** (United Kingdom) said that, although in general anyone under the age of 18 years old was considered a child in the United Kingdom, the law did not treat all persons under the age of 18 in exactly the same way. Making children over the age of 16 eligible for the protections afforded by the Children and Young Persons Act of 1933 would have unintended consequences, some of them negative. In addition, cruelty inflicted on children over the age of 16 might already amount to another criminal offence, such as assault. For those reasons, it was appropriate for section 1 of the Act to continue focusing on protecting children under the age of 16 years old.

57. No person under the age of 16 years could marry in England or Wales. With parental consent, however, children over 16 could marry. The Government was of the view that the provisions requiring parental consent provided adequate protection and, therefore, did not consider it necessary to amend the age at which people could enter into marriage. Consultations on raising the age of criminal responsibility were under way in Scotland.

58. **Ms. Brown** (United Kingdom) said that young people aged 16 and 17 years old were protected from age discrimination in employment under the Equality Act of 2010. There were no plans to amend the Act to expand the scope of protection from age discrimination, as such an expansion could make it difficult to tailor school programmes to children of a particular age or enforce laws against selling certain products or services to minors.

59. **Mr. Holmes** (United Kingdom) said that legal aid was a vital part of the justice system of the United Kingdom and that the Government's approach to legal aid reform had been informed by a determination to ensure that aid could continue to be provided to those who needed it. Although the scope of civil legal aid had been narrowed in England and Wales, funding had been maintained for the highest priority cases. The Government would complete a review of the legal aid provisions that had been enacted in 2013 by 2018. All children, including Roma children, had equal access to legal aid in England, Wales and Scotland. The Government did not believe that a proposal to require applicants for civil legal aid to demonstrate their connection to the United Kingdom by meeting residency requirements was discriminatory. The proposed residency requirements, which were not currently in place, included a number of exceptions, including for cases involving asylum seekers or other vulnerable persons. In any event, civil legal aid would continue to be provided where required under the European Convention on Human Rights.

60. **Ms. Daniel** (United Kingdom) said that funding for S4C, the Welsh-language television channel, was the responsibility of the Government of the United Kingdom, which was fully aware of the channel's key role in the development of the Welsh language. In addition, the Welsh Government sponsored organizations such as Urdd Gobaith Cymru, a youth movement designed to provide opportunities to use the Welsh language. Initiatives to increase the use of Welsh in digital technology had also been funded.

61. **Ms. Khazova** asked what steps the Governments of the United Kingdom and the devolved jurisdictions intended to take to ensure the availability of high-quality, affordable childcare. In view of reports that the number of children taken into care, sometimes because their parents were considered too poor to provide for them, had increased in recent years, she wished to know how badly off parents had to be to justify the removal of their children from their care; what the criteria for removal were; and what the authorities believed had caused the recent increase. She would also welcome information on the measures taken by the State party to ensure stability for children taken into care, who were frequently shunted from one foster home to another, sometimes far from their hometowns, and looked after by an often-changing succession of social workers. What counselling services were available to children leaving foster care or residential institutions?

62. She was concerned about reports that children with problems affecting their mental health did not have access to appropriate treatment and that some had even been placed in facilities designed for adults. She would welcome the delegation's comments on the reasons for the underfunding of mental-health services, the relative unavailability of community-based services, the long waiting lists for treatment and the apparent placement of some children with mental illnesses in police custody. Another serious concern was the increasing reliance on such stimulants as methylphenidate for the treatment of behavioural disorders.

63. Breastfeeding rates in the United Kingdom were low, and the national infant feeding survey had been discontinued in 2015. She was especially concerned by reports that poor mothers in Northern Ireland were increasingly unlikely to breastfeed.

64. **Ms. Aldoseri** asked how the State party ensured that children with disabilities were involved in making decisions about the services they received. She would also like to know how accessible schools were to children with disabilities; what measures were taken to place all such children in inclusive education programmes; and why so many were still in special schools or in special sections of regular schools. She would welcome information on the steps that had been taken to address the concern, expressed in the Committee's concluding observations on the State party's third and fourth periodic reports (CRC/C/GBR/CO/4), that children with disabilities continued to face barriers in the enjoyment of the rights guaranteed by the Convention, including the right to access health services, leisure and play. How did the State party evaluate the effectiveness of the support given to children with disabilities for their transition from childhood to adulthood?

65. She wished to know whether the State party intended to establish a system to collect disaggregated data on children undergoing mental-health treatment and would like more information on the Mental Capacity Bill being considered in Northern Ireland, in particular since the protections it provided would not apply to children under 16 years of age. In addition, she wished to know what programmes were being launched to combat the increasing prevalence of mental illness; what measures the State party took to ensure medical support for transgender children; and how mental-health services were likely to be affected by the National Health Service's record deficit.

66. She would welcome information on the results of the Northern Ireland Executive's efforts to ensure that all children had the opportunity to participate in shared education programmes by 2015. She wondered whether any efforts had been made to abolish the 11+ transfer test and thus ensure that post-primary schools in Northern Ireland did not practise selective admission, and what measures had been taken to improve the quality of education, especially in Northern Ireland. Information on the sexual and reproductive health education provided to all children, including those with disabilities or in juvenile detention, would also be welcome. Was compulsory education in democracy and human rights a part of the curriculum in all schools?

67. She wondered whether any progress had been made towards setting up the mechanism for student dialogue with school governing bodies envisaged under the Education Act of 2002. It would be interesting to know how the State party ensured that the needs of children with disabilities were met in mainstream schools, and what measures were taken to combat religious segregation in schools in Northern Ireland and ensure that expulsions were a last resort. Information on the steps being taken to allay students' concerns about the use of isolation rooms to separate children from the rest of their class as a form of punishment would be welcome.

68. She wished to know what efforts the State party had made to ensure that development aid provided to private schools such as those operated by Bridge International Academies in Kenya did not lead to violations of children's rights or exacerbate

socioeconomic inequalities. The Committee would appreciate a comment from the delegation on a recent speech by the Queen in which a number of education-related issues had been raised. Lastly, she asked whether local authorities in England and Scotland were required to provide recreational facilities, in particular for marginalized children, and whether plans had been made to ban smoking in such facilities.

The meeting rose at 6 p.m.