

England, Scotland, Wales and Northern Ireland NGO briefing to the UN Committee on the Rights of the Child to inform its List of Issues Prior to Reporting United Kingdom of Great Britain and Northern Ireland

December 2020

Introduction

The purpose of this briefing is to suggest questions that could be included in the List of Issues to the UK, drawn from the wealth of evidence presented to the UN Committee in reports submitted by NGOs and children and young people across England, Wales, Scotland and Northern Ireland. **It is intended to complement - not replace - the reports already submitted, which contain detailed and robust supporting evidence. These reports are listed in Appendix 1.**

Consideration of the impact of devolution

It is essential that the context of devolution is taken into account when assessing UK implementation of the UNCRC. Scotland, Wales and Northern Ireland are part of the UK but have very different policy and legislative landscapes. This is because they have direct control over a range of matters affecting the fulfilment of children's rights. For example, Scotland's education system, legal and justice system, NHS and local government are fundamentally distinct from the rest of the UK. Welsh Government has functions in many key areas for the implementation of the CRC, including education, social services, health, recreation, economic development, environmental protection, transport and planning. The Northern Ireland Assembly's powers include health, social services, education, housing, transport, policing and child support and Northern Ireland's legislative position and human rights protections within the UK will differ from other jurisdictions at the time of examination as a result of the Northern Ireland Protocol to the EU Withdrawal Agreement.

Devolution has resulted in differing implementation of children's rights across the four jurisdictions. The Scottish and Welsh Governments have demonstrated a particular commitment to the CRC. In the current reporting period, Wales further implemented the [Rights of Children and Young Persons \(Wales\) Measure 2011](#) and passed the [Children \(Abolition of Defence of Reasonable Punishment\) \(Wales\) Act 2020](#). Scotland introduced a [Bill](#) to fully and directly incorporate the CRC by early 2021, and saw a range of other improvements including [granting children equal protection from assault](#). There have been no such significant developments in England or Northern Ireland in implementing the CRC. For example, a CRIA template has been developed for England but is not mandatory to use.

Devolution means the UK and devolved governments have taken different responses to the COVID-19 pandemic, with differing impacts on children's human rights. For example, the four jurisdictions took different approaches to school closures and cancelling exams.

Despite the devolved powers which Scotland, Wales and Northern Ireland hold, reserved decisions made by UK Government on matters such as social security and immigration have a profound impact on children. Foreign affairs and trade are reserved to the UK Government, raising critical questions about the impact of exiting the European Union, particularly for children living in Northern Ireland. The interaction between

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reserved and devolved powers significantly impacts on the implementation of the CRC, and as such, a gap exists in the scrutiny of the UK's compliance. In partnership with our sister organisations across the four jurisdictions – the Child Rights Alliance for England, Children's Law Centre Northern Ireland and the Wales UNCRC Monitoring Group – we would be happy to support the UN Committee in navigating the complexities of devolution and the impact it has on children's experiences of their rights.

We strongly urge the UN Committee to recognise the devolved context in its List of Issues Prior to Reporting.

General measures of implementation

NGOs across the four jurisdictions request that the UK and devolved governments provide additional and updated information in relation to the following issues:

1. Implementation

UK-wide: Please provide information at a UK and devolved government level of all mechanisms to ensure that policy and legislation comply with the CRC. This should include steps taken to embed children's rights-based budgeting, to ensure robust and disaggregated data collection, use child rights-based indicators to monitor CRC implementation and to review all legislation, policy and practice to ensure compatibility with the CRC

Please detail what steps have been taken to ensure a statutory obligation to systemically conduct child rights impacts assessments (CRIA), and what CRIA have been carried out by UK and devolved governments, including during the planning of COVID-19 responses, and demonstrate how their findings have influenced decision-making.

England: Will the UK Government set out why the CRIA template developed in England is not mandatory and why CRIA do not have to be published?

Northern Ireland: When will the UK Government legislate for a Bill of Rights for Northern Ireland?

2. Strategies action plans and coordination for CRC implementation

UK-wide: Please indicate whether the UK Government is planning to develop a national CRC action plan.

England & Wales: Please indicate why there is no senior UK Cabinet member with responsibility for children. Will the Welsh Government appoint a Minister for Children and a Cabinet Committee for Children? Please indicate whether the UK and Welsh Governments are planning to develop national CRC action plans for England and Wales respectively.

Scotland & Northern Ireland: Please indicate when the NI Executive will appoint a Minister with overall responsibility for children and adopt a CRC implementation plan. Please indicate the measures taken to ensure the Scottish and the future Northern Irish CRC action plans contain clear, resourced

and time-specific actions alongside a clear and robust monitoring framework informed by the views and experiences of children.

3. Human Rights in Domestic Legislation

UK-wide: Please inform the Committee of the measures the UK and devolved governments intend to take in relation to the Human Rights Act 1998 and the UK's exit from the European Union to ensure no diminution of children's rights. Please provide information on the steps that will be taken including enforcement mechanisms and remedies to ensure non-regression and plans for future increased protection of all children's rights without discrimination of any kind.

How did the UK and devolved governments ensure emergency legislation introduced during the COVID-19 pandemic was compliant with international human rights standards? Were children's rights impact assessments undertaken before introducing emergency legislation? Were steps taken to ensure no differential adverse impact on children? Has emergency legislation, and associated measures, been repealed?

Please update the Committee on developments concerning the incorporation of the CRC and other international human rights treaties into UK, Welsh, Northern Irish and Scots law, and ratification of the 3rd Optional Protocol.

Northern Ireland: Please provide information on how rights protections provided for through the Belfast/Good Friday Agreement and associated Agreements and legislation will be maintained without discrimination of any kind including in light of the UK's exit from the EU and/or repeal/amendment of the Human Rights Act 1998. Please provide information on what arrangements have been made to ensure an open border, and to ensure children in NI who identify as 'British' retain the same rights, entitlements and protections as children identifying as 'Irish' and other EU citizens post Brexit.

4. Definition of the child

UK-wide: Please indicate the steps being taken at a UK and devolved government level to ensure legislation, policy and practice reflect the definition of the child set out in Article 1 CRC.

This information should include what consideration the UK and devolved governments have given to raising the minimum age of marriage and minimum age of recruitment into the armed forces to 18, as well as steps to protect victims of child sexual exploitation and homeless children aged 16 and 17, and separated and vulnerable children known to children's services when they turn 18.

How do the UK and devolved governments ensure that children who are under 18 at the time of an offence, but turn 18 during the criminal justice process, receive outcomes commensurate with their age at the time of the offence?

5. Awareness & Understanding

UK-wide: Please provide information at UK and devolved level on the steps taken to ensure broad awareness and understanding of the CRC across all sectors of society.

This should include an update on children’s rights-based training for all those working with or for children, inclusion of the CRC in education curriculums, and measures to ensure a rights-based approach is integrated into decision-making and practice at all levels of government and public bodies.

6. Access to justice

UK-wide: Please provide information at a UK and devolved government level of the steps taken to provide enforceable remedies to children who allege their rights under the CRC have been breached. Please outline the steps being taken to ensure the availability of child-friendly complaints processes (formal and informal), free specialist legal services and advocacy services for children.

General principles

NGOs across the four jurisdictions request that the UK and devolved governments provide additional and updated information in relation to the following issues:

7. Respect for the views of the child

UK-wide: Please indicate how the views of children are systematically taken into account in decision-making at UK, devolved and local level. Please provide information on steps taken to facilitate participation in a way that meets the needs of each individual child, including younger, disabled, care experienced, disadvantaged or vulnerable children in decisions affecting their lives.

Please indicate what plans are in place to empower 16- and 17-year-olds to vote and stand in elections.

8. Freedom from discrimination

UK-wide: Please provide information at UK and devolved government level on measures to prevent and address discrimination experienced by children.

This should include steps taken to challenge discrimination and ensure the rights of particularly vulnerable groups, including BAME children, children living in poverty, disabled children, Gypsy/Traveller and Roma children, migrant, asylum-seeking and refugee children, care experienced children, LGBTI children, girls and young women, Irish Language speakers, young carers, children with a parent in prison, and children in armed forces families.

When will the UK and devolved governments introduce age discrimination legislation to protect all children from all forms of discrimination on the grounds of age and ensure effective remedies?

England: What steps will the UK Government take to eradicate racial disparities in the Youth Justice System, particularly the overrepresentation of black, Gypsy/Traveller and Roma children?

Northern Ireland: What steps is the NI Executive taking to end the disproportionate use of police stop and search powers against children and ensure CRC compliance in their use?

9. Right to life, survival and development

Northern Ireland: Can the NI Executive explain why the establishment of a process to review child deaths remains outstanding and provide a clear timescale for the implementation of a Child Death Review Panel

What is the legal basis for denying the family of a child, killed by UK Security Forces, access to government files? What 'national security' issues are raised in the circumstances surrounding the killing of a child by a police officer or British soldier firing a plastic bullet?

10. Best interests

United Kingdom: What measures have the UK and devolved governments taken to ensure that the 'best interests' principle is consistently interpreted and applied in all legislative, administrative, judicial proceedings and decisions, policies and programmes that impact on children?

Civil rights and freedoms

NGOs across the four jurisdictions request that the UK and devolved governments provide additional and updated information in relation to the following issues:

11. Freedom of association and peaceful assembly

UK-wide: What steps are the UK and devolved governments taking to prohibit the use of acoustic devices in public spaces to disperse gatherings of children?

12. Compulsory religious worship/observance

UK-wide: Please indicate what consideration has been given at UK and devolved government level to repealing or amending legal provisions for compulsory religious worship/observance. Please provide information on meaningful educational alternatives for children whose parents have withdrawn them from compulsory worship/observance.

Violence against children

NGOs across the four jurisdictions request that the UK and devolved governments provide additional and updated information in relation to the following issues:

13. Violence, abuse, neglect

UK-wide: Please provide information at UK and devolved government level on measures to ensure children are safe from violence, abuse and neglect in all forms and across all settings, including at home, in care, institutions, prisons at school and online. Please provide information on measures aimed at preventing and addressing these harms, including steps to enhance professional and public awareness and strengthen data collection.

Please indicate what measures are in place to ensure child victims of violence, abuse and neglect have access to trauma-informed support services to aid their recovery which are properly resourced.

England: Will the UK Government's national strategy on child sexual exploitation (CSE) outline its support for children affected by sexual offences, addressing the need for stronger upstream prevention of CSE and tackling high attrition rates in relation to sexual offences against children?

Wales: Will the Welsh Government take a public health approach to child sexual abuse and publish an impact assessment report of its National Action Plan by the end of 2022?

Northern Ireland: What measures has the NI Executive taken to ensure full implementation and monitoring of the recommendations of the 2014 Marshall Inquiry into Child Sexual Exploitation in Northern Ireland? What measures has the NI Executive taken to introduce legislation, plus resource, implement, monitor and review the effectiveness of its e-Safety Strategy?

What measures are being taken by the NI Executive to protect children from assaults, intimidation, and racist attacks by paramilitary organisations?

14. Inappropriate use of restraint and isolation

UK-wide: Please provide information at UK and devolved government level on steps taken to ensure restraint and other restrictive interventions are used only as measures of last resort to prevent harm to the child or others.

Please indicate what steps are being taken to systematically and regularly collect and publish disaggregated data on the use of restraint and other restrictive interventions on children in all settings, including in education, alternative care, custody, and mental health settings.

Please indicate what steps are being taken to produce rights-based guidance at UK and devolved level on the use of restrictive interventions, ensure child-friendly complaints processes and ensure all adults working with children have appropriate skills and training.

England, Scotland and Wales: Please provide information on steps to ensure isolation and seclusion are no longer used.

England: What steps is the UK Government taking to ensure the Secure Training Centre (Coronavirus) (Amendment) Rules 2020 are repealed as soon as possible?

15. Ending physical punishment

England & Northern Ireland: Please outline what steps are being taken to repeal legal defences relating to physical punishment of children in all settings, including the home.

Scotland & Wales: Please outline what steps the Scottish and Welsh Governments have taken to ensure effective implementation of new legislation aimed at eradicating the use of physical punishment, including the promotion of positive and non-violent forms of discipline.

16. Torture and other cruel or degrading treatment or punishment

UK-wide: Please indicate what measures the UK and devolved governments have taken to prohibit the use of Tasers, spit-hoods, Attenuating Energy Projectiles (AEPs), CS spray and other harmful devices on children.

Family environment and alternative care

NGOs across the four jurisdictions request that the UK and devolved governments provide additional and updated information in relation to the following issues:

17. Family support

UK-wide: Please indicate the steps taken at UK and devolved level to ensure all children and their families have access to timely, appropriate and well-resourced support to prevent needs escalating and support them to stay together where it is safe and appropriate to do so.

Please outline what steps are taken to ensure children are always involved in important decisions about their lives.

Please provide information on steps taken to ensure consistent, non-discriminatory access to family support services during the COVID-19 pandemic.

What measures have the UK and devolved governments put in place to ensure children can maintain their relationships and contact with a parent in prison where there is no court order preventing contact, including during emergencies such as COVID-19?

England: What assessment has been made of the impact of the UK Government's decision to reduce funding for children's and youth services over the past decade? What steps are being taken to close this funding gap and enable early intervention to be prioritised by local authorities, particularly given the impact of the pandemic?

18. Childcare

UK-wide: Please indicate the steps being taken at a UK and devolved government level to ensure the effective provision of affordable, high-quality and flexible childcare across the UK, focusing particularly on provision for those with low income, living in rural areas, parents with atypical work patterns, Welsh language children and families with disabled children.

19. Care experience

UK-wide: Please indicate the measures in place at UK and devolved government level to ensure: care experienced children are supported and empowered to participate in decisions affecting their lives; increased placement stability; sufficient number of local placements; siblings are only placed separately if this is in their best interests; care experienced children are supported to maintain healthy relationships with those that most matter to them, including

through sibling contact; timely access to advocacy and appropriate therapeutic services – including mental health support.

Please indicate the measures in place at UK and devolved government level to ensure: the use of B&Bs and unregulated accommodation is prohibited for under 18s; care leavers are protected from risk of homelessness and have access to appropriate and safe accommodation.

Please provide information at UK and devolved level on steps taken to ensure: no child is encouraged or forced to leave care prematurely; care leavers have access to appropriate support.

Scotland: Please indicate steps to ensure all care leavers have access to the support to which they are statutorily entitled under the Children Scotland Act 1995, as amended by the Children and Young People (Scotland) Act 2014.

England: What steps is the UK Government taking to ensure all care leavers – regardless of the type of setting they are placed in – have the option to remain where they are until at least 21?

Wales: Will the Welsh Government: introduce legislation, alongside guidance, training and monitoring arrangements, to extend corporate parenting responsibility to all public bodies in Wales; ensure that all care-experienced children have access to statutory advocacy; promote the When I Am Ready scheme and enhance supported housing options for children leaving residential care?

Northern Ireland: What measures has the NI Executive taken to guarantee the right of EU migrant children who are 'looked after' to relevant documents proving their self-identify and citizenship? What measures is the NI Executive taking to provide culturally appropriate alternative care for migrant children?

When will the NI Executive: enact the Adoption and Children (NI) Bill; enact the revised Foster Care regulations; prohibit the placement of children in temporary/unregulated accommodation; enforce the duty to provide suitable accommodation for 'looked after' children and children in need?

What measures have the NI Executive taken to ensure alternatives to secure accommodation which deprives children of their liberty, including appropriate community-based support for vulnerable children with complex needs?

Disability, basic health and welfare

NGOs across the four jurisdictions request that the UK and devolved Governments provide additional and updated information in relation to the following issues:

20. Child poverty

UK-wide: Please indicate the plans to reduce poverty and inequality within the current public spending programme and methods in place to measure progress or regression. Please indicate the steps taken and planned to safeguard children's rights from the economic impacts of COVID-19 and Brexit.

Please outline what analysis the UK Government has undertaken to assess the impact of the two-child limit and the benefit cap on child poverty, including the impact on different groups of children.

Please indicate the steps UK and devolved governments have taken to reduce homelessness and use of temporary accommodation, and ensure all children have access to safe and appropriate housing.

Scotland, Wales & Northern Ireland: Please indicate what measures and plans are in place at devolved level to ensure the maximum extent of available resources are used to reduce child poverty.

When will the NI Executive address the fact that housing shortage and children's housing need are disproportionately prevalent in areas that are predominately Catholic?

Wales: Will the Welsh Government publish a revised Child Poverty Strategy with delivery plan, with ambitious milestones and targets; establish a Welsh Benefits System as a single point of access for assistance, and increase eligibility entitlement for Free Schools Meals?

21. Health Inequalities

UK-wide: Please provide information at UK and devolved government level on all measures to mitigate inequalities in health outcomes. Please provide information on steps to ensure contributory factors behind health inequality, such as poverty and disability, are prioritised in public health planning and steps to ensure sufficient investment in early intervention and preventative approaches.

Please indicate the steps taken to ensure continuing access to health services during the COVID-19 pandemic.

England: Please provide information on: what plans the UK Government has to introduce a cross-departmental national strategy with specific targets to address growing health inequality and specific needs of children with protected characteristics and vulnerable children; what assessment has been made of the effect of changing NHS charging regulations on migrant children's access to healthcare; what measures have been taken to ensure commitments from the prevention Green Paper 'Advancing our health: Prevention in the 2020s' is implemented in full following the abolition of Public Health England.

Will the UK Government consider restoring £1 billion of cuts to the public health grant for local authorities and ensure future investment in public health increases at the same rate as NHS funding and is allocated based on population health needs?

Wales: Will the Welsh Government provide sufficient funds to support the development of paediatric research, and build sufficiency of the paediatric academic workforce?

Northern Ireland: What measures has the NI Executive put in place to ensure appropriate provision of services for disabled children, based on individual needs, including as they transition from children's services to adult services? What measures have been taken by the NI Executive to establish disaggregated baseline data on children with disabilities and long-term conditions.

22. Mental health

UK-wide: Please outline the measures being taken at UK and devolved level to invest in universal preventative and early intervention children's services to prevent an increase in mental ill-health among children, and the specific measures being directed at particular groups, including younger children, disabled children, care experienced children, children living in poverty, LGBTI children, children with additional support needs, children in contact with the justice system, trafficked, refugee, asylum-seeking and migrant children.

Please outline the steps at UK and devolved level to ensure specialist child and adolescent mental health services (CAMHS) are well-funded (on par with adult services) and accessible to all children at the point of need, and the steps taken to mitigate the impact of the COVID-19 pandemic on children's mental health.

Please indicate the steps taken at UK and devolved level to initiate/strengthen disaggregated child-specific data collection and monitoring.

Scotland and England: Please indicate what steps UK and Scottish Government are taking to address CAMHS waiting times and reach their targets for the period within which children are seen following referral.

Please indicate the consideration given to developing a clear and consistent set of national referral criteria for CAMHS.

England and Wales: Will the UK and Welsh Government ensure that there are enough spaces in specialist hospitals, close to the child's home, and to develop suitable community alternatives?

Northern Ireland: What measures have been taken by the UK Government and NI Executive to address the specific needs of children experiencing transgenerational trauma as a result of the conflict and ensure their participation in processes to deal with the legacy of the conflict? What measures have the UK Government and NI Executive taken to address the mental health needs of children whose lives are affected by paramilitary threats and/or violence?

What measures are being taken by the NI Executive to ensure NI mental health legislation is UNCRC compliant, including addressing the exclusion of under-16s from protections under the Mental Capacity Act (NI) 2016?

What measures are being taken by the NI Executive to provide a specialised Mother and Baby Unit where women who are psychiatric in-patients can care for their babies, and make interim arrangements to ensure babies are not separated from their mothers when it is in both their best interests to be kept together?

What measures are being taken by the NI Executive to address delays in discharge from hospital for children with learning disability and co-occurring mental health needs?

23. Adolescent health

UK-wide: Please provide information at UK and devolved government level on steps to ensure comprehensive, inclusive and age-appropriate relationships and sexuality education (RSE) is implemented in all schools and accessible to all children, including disabled children. RSE should include age-appropriate information about: confidential sexual and reproductive healthcare services; contraceptives; prevention of sexual abuse or exploitation, including consent and sexual bullying; support available in cases of sexual abuse and exploitation; and sexuality, including that of LGBT+ children.

Northern Ireland: Will the NI Executive abolish parents' ability to withdraw their children from RSE and, in the meantime, ensure children who are removed from RSE lessons receive information on relationships and sex?

What measures are being taken by the NI Executive to ensure the provision of abortion services which guarantees that no young woman has to travel outside NI to access reproductive health care?

Education, leisure and cultural activities

NGOs across the four jurisdictions request that the UK and devolved Governments provide additional and updated information in relation to the following issues:

24. Attainment gap

UK-wide: Please indicate the steps being taken at UK and devolved level to: address the attainment gaps related to poverty, ethnic background, care experience, disability and additional learning needs and other factors; ensure these gaps do not worsen as a result of COVID-19; and steps taken to strengthen data collection.

Please indicate the steps being taken at UK and devolved level to ensure children's right to education without discrimination is upheld in the context of COVID-19, including steps to address digital exclusion and digital poverty.

Please indicate the measures being taken to ensure inter-departmental cooperation, particularly between Health and Education, to enable identification of vulnerable children and effective multi-disciplinary working to guarantee children's education, safety and rights during future emergencies such as the COVID-19 pandemic.

England: Can the UK Government provide data on children's attainment in alternative provision?

Wales: Will the Welsh Government increase the monetary value of the Education Maintenance Allowance to support children from low-income households to remain in education?

25. Inclusive education

UK-wide: Please indicate the steps taken at UK and devolved level to ensure the right to education of disabled children and children with additional learning needs. Information provided should include training for staff on inclusive education and resource provision. Please indicate the steps taken to ensure online learning is accessible and tailored to meet children's needs.

Scotland: What steps is Scottish Government taking to ensure Additional Support for Learning (ASL) legislation is consistently implemented – including children's right to a Coordinated Support Plan to identify their needs and put support in place?

England: What steps has the UK Government taken to improve decision making and reduce the number of successful appeals taken to the First Tier Tribunal for Education Health Care Plans, and ensure the special educational needs and disability (SEND) system has sufficient resources to meet demand?

Wales: Will the Welsh Government accelerate reform, with investment, of education arrangements for children with Additional Learning Needs?

Northern Ireland: What measures are being taken by the NI Executive to: enable the co-ordination of care appointments for children with health needs to ensure maximum attendance at school; stop the decline in numbers of specialist Teachers of the Deaf; make the SEN assessment and statementing process fit for purpose; ensure legal compliance with the SEN and Disability framework?

What measures are the NI Executive taking to end academic selection and replace it with a children's rights compliant system that ends educational inequalities?

What measures does the NI Executive have in place to increase integrated school provision, including capital and revenue funding, to meet demand and the statutory duty "to encourage and facilitate the development of integrated education"?

26. School exclusions

UK-wide: Please outline all measures in place at UK and devolved government level to: ensure that the disciplinary measure of permanent or temporary exclusion is only used as a means of 'last resort' and not applied discriminatorily against children from particular groups.

Please outline existing data on informal exclusions and the steps taken to end its use.

27. Play - all settings

UK-wide: Please indicate the steps taken at UK and devolved level to ensure children's right to play across all settings, including early learning, schools and in the community. Please provide information on steps to ensure play facilities are available, high-quality, safe and accessible for all, with particular attention to the needs of disabled children.

Please indicate the steps taken to ensure recreation spaces are planned in consultation with children.

Scotland: What steps is Scottish Government taking to ensure play-based learning is embedded into childcare and education for children aged three to six, and ensure all staff working with early years and young children have the knowledge, understanding and support to implement this effectively.

England: Can the UK Government share data on the availability of play spaces, including cost for access, trends and economic advantage of the areas in which they are available? What steps have been taken to understand the ending of statutory guidance on the early years curriculum, and its impact on play and outdoor learning?

Wales: Will the Welsh Government ensure that the right to play is embedded in the new curriculum; that adequate breaks for play are made mandatory and subject to inspection, and that school outdoor spaces are available for playing when the teaching day ends?

Will the Welsh Government ensure that adequate and sustainable funding is provided to support community-based playwork provision; to extend the Playworks Project and support initiatives which enable children to freely and safely play in the community?

Northern Ireland: What measures have been taken by the NI Executive to address negative attitudes towards children with disabilities within play facilities and more broadly in NI?

What measures has the NI Executive taken to: introduce a statutory right to play; review its 2011 Play and Leisure Implementation Plan and provide an updated, funded plan to deliver every child's right to play?

Special protection measures

NGOs across the four jurisdictions request that the UK and devolved Governments provide additional and updated information in relation to the following issues:

28. Child justice system

UK-wide: Please indicate the steps that are being taken at a UK and devolved government level to ensure the full implementation of child justice standards, as expressed in the General Comment No. 24. This should include the best interest principle being included in legislation, information on steps to ensure children have access to advocacy support to have their views heard in proceedings, access to free and specialist legal assistance, detention is used only as a measure of last resort, life sentences are abolished, rights-based

training for all adults working in the child justice system, improvements are informed by children's views and experiences, and strengthened data collection and monitoring.

Does the Government intend to introduce child specific maximum sentences and abolish life imprisonment for offences committed by children?

Scotland: What steps is the Scottish Government taking to significantly increase the age of criminal responsibility to ensure children's best interests and bring legislation in line with international standards?

What steps is the Scottish Government taking to ensure all under 18s are diverted from formal justice processes or, where this is not possible, supported through the Children's Hearings System rather than the courts?

England and Wales: What steps is the UK Government taking to significantly increase the age of criminal responsibility in England and Wales to ensure children's best interests and bring legislation in line with international standards?

What steps is the UK Government taking to: monitor outcomes for children successfully diverted from the criminal justice system including disaggregation by age and ethnicity; monitor and embed the protocol on reducing the unnecessary criminalisation of looked-after children?

What steps are the Welsh and UK Governments taking to reduce the number of, and length of time, children are held in police detention both pre- and post-charge, including ensuring there is sufficient local authority accommodation?

Can the UK Government provide a clear plan, including timescales, for the closure of all Young Offender Institutions and Secure Training Centres?

England: What steps is the UK Government taking to ensure all English councils and police forces are signatories to the concordat on children in police custody?

Northern Ireland: What steps is the NI Executive taking to significantly increase the age of criminal responsibility to ensure children's best interests and bring legislation in line with international standards, and to reform legislation to ensure that children who are arrested have the right to anonymity?

What steps has the NI Executive taken to: address delays in youth justice cases; implement community-based diversionary measures outside the formal justice system; ensure children are not prevented from perfecting bail because they are 'homeless', ensure children with disabilities or mental health needs, care experienced children, and Catholic children are not inappropriately detained in custody?

29. Migration system

UK-wide: Please provide information at UK and devolved level on steps to ensure asylum-seeking, refugee and migrant children and their families: receive appropriate support (financial, accommodation and otherwise) to meet their needs and prevent destitution; have equality of access to services including health and education; strengthened data collection and monitoring.

What steps is the UK Government taking to ensure age assessment practices uphold children's rights? What assessment has been done of the effectiveness of the new policy introduced in 2019 and what data has been collected on the number of applicants initially treated as adults who were later assessed as children?

What steps is the UK Government taking to change the discriminatory policy that prevents unaccompanied or separated children applying for family reunion? Will the UK Government make public the evidence to support its position that giving child refugees the same family reunion rights as adults will put children in danger?

What are the UK and devolved governments doing to ensure Unaccompanied Asylum Seeking Children have *immediate* access to free independent legal advice and representation?

What steps is the UK Government taking to: ensure safe and regular routes for asylum-seeking children already in Europe after the Brexit transition period; ensure all EU national children and children of EU parents who are eligible for settled status are supported to apply and not become undocumented after the deadline, in particular care experienced children and children in detention settings.

Scotland: What steps is Scottish Government taking to ensure the Scottish Guardianship Service is adequately funded, expanded and available to all unaccompanied and separated children?

England: What steps have been taken to ensure local authorities meet their statutory obligations under section 17 of the Children Act 1989 with respect to families with No Recourse to Public Funds?

Wales: Will the Welsh Government establish a system of legal guardianship to support children through the asylum process, and expand and adequately resource specialist advocacy support for unaccompanied asylum-seeking children?

30. Trafficking, modern slavery and exploitation

UK-wide: What steps have the UK and devolved governments taken to ensure that a referral into the National Referral Mechanism (NRM) is linked to specialist support and accommodation?

What are the UK and devolved governments doing to prevent children who are trafficked/exploited from being arrested and prosecuted and excluded from school?

Could the UK Government explain why there is no specific offence of trafficking of children or child exploitation?

England: What is the timeframe for full roll-out of the Independent Child Trafficking Guardians scheme and what steps has it taken to provide an independent legal guardianship service for all separated children up to 21?

31. Child victims and witnesses

UK-wide: Please indicate the steps being taken at UK and devolved level to protect child victims and witnesses of crimes from further and re-traumatisation, including access well-funded support services to aid their recovery, access to special measures in court proceedings, ongoing trauma-informed training for professionals.

- Scotland: What steps is Scottish Government taking to ensure special measures are put in place by default for all child victims and witnesses involved in court proceedings.
- Please provide information on the steps Scottish Government is taking (and has planned) to implement the Barnahus model across Scotland.
- Northern Ireland: Will the NI Executive detail: measures taken to ensure provision of appropriate support for child victims of domestic violence; why children were not included as victims of domestic abuse in their own right in recent Domestic Abuse and Family Proceedings legislation?

32. Armed forces recruitment

- UK-wide: Why has the UK Government not increased the minimum age for recruitment into the armed forces to 18? What is the UK Government doing to ensure those who enlist as children do not have a longer minimum period of service than those who enlist as adults?
- What steps is the UK Government taking to ensure military recruitment and marketing material is factual, balanced and makes clear risks and legal obligations; disaggregated data on armed forces visits to schools is collected and published.
- Scotland: Please indicate what steps Scottish Government has taken to: develop guidance on armed forces visits to schools which supports voluntary and informed consent, and ensures children are provided with balanced information; ensure schools give children and their parents/carers the opportunity to decide whether or not they wish to take part in armed forces visits.

Appendix - NGO Alliance and reports

1. NGO ALLIANCES

Children's Rights Alliance for England
Together (Scottish Alliance for Children's Rights)
Children in Wales / Wales UNCRC Monitoring Group
Children's Law Centre

2. REPORTS

This briefing has been drawn from the following reports:

England	Children's Rights Alliance England (2020). England Civil Society Submission to the United Nations Committee on the Rights of the Child to inform its List of Issues Prior to Reporting (LOIPR)
Wales	Children in Wales/Wales UNCRC Monitoring Group (2020). Wales Civil Society Report to the United Nations Committee on the Rights of the Child to inform their List of Issues Prior to Reporting (LOIPR)
Scotland	Together (Scottish Alliance for Children's Rights) (2020). Children's Rights in Scotland (UK): Stakeholder Report to inform the UN Committee on the Rights of the Child's List of Issues Prior to Reporting.
Northern Ireland	Children's Law Centre (2020). Northern Ireland NGO Stakeholder Report to inform the UN Committee on the Rights of the Child's List of Issues Prior to Reporting.