

Wales UNCRC Monitoring Group



Grŵp Monitro CCUHP Cymru

Combined Report of the Recommendations for Wales

from the

- a) Concluding Observations on the Fifth Periodic Report of the United Kingdom of Great Britain and Northern Ireland (July 2016)
- b) GB Civil Society Report to the UN Committee: Suggested Questions and Recommendations to ask the UK State Party and devolved governments (May 2016)
- c) UNCRC Monitoring Group Report to the UN Committee (July 2015)

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A GENERAL MEASURES OF IMPLEMENTATION (ARTICLES 4, 42 AND 44(6))					
CO No	CO Sub Heading	Concluding Observation (applicable to Wales)	GB NGO Recommendation pre-hearing (May 2016)	Wales Recommendation (June 2015)	To UK* or Welsh Gov
7	Legislation	<p>The Committee recommends that the State party:</p> <p>(a) Expedite bringing its domestic legislation, at the national and devolved levels as well as in the Overseas Territories and the Crown Dependencies, in line with the Convention in order to ensure that the principles and provisions of the Convention are directly applicable and justiciable under domestic law.</p>	<p>The UK State Party and devolved governments should take measures to bring its legislation in line with the Convention. To this aim, the UK State Party and devolved governments should systematically review existing legislation to determine whether it should be amended to ensure compliance with the Convention. Furthermore, the UK State Party and devolved governments should fully incorporate the Convention and its protocols into domestic legislation at the earliest opportunity and work towards the incorporation of other Conventions, such as the UNCRPD, CEDAW and ICESCR, given their impact on children and young people (<i>echoes Children's Commissioners</i>).</p> <p>The Scottish and Welsh Government should ensure the Convention is embedded into legislation, as well as the culture, policy and practice of all those working with and for children. The extent to which provisions relating to the Convention make a meaningful difference to children's experiences of their rights should be monitored and evaluated on an ongoing basis.</p> <p>Public Bodies</p>	<p>Systematically review existing legislation to determine whether this should be amended to ensure compliance with the Convention</p>	WG & UK

			The UK State Party and devolved governments should introduce legislation that will require all public bodies to have due regard to the Convention (<i>echoes Children's Commissioners</i>).		YES - WG
8	Comprehensive Policy and Strategy	<p>The Committee recommends that the State party:</p> <p>(a) Revise the UK-wide strategy, <i>Working together, achieving more</i> (2009) to cover all areas of the Convention and ensure its full implementation;</p> <p>(d) In Wales, ensure the full implementation of the Programme for Children and Young People (2015).</p> <p>In doing so, the Committee recommends that the State party allocate sufficient human, technical and financial resources, set up clear timelines as well as a monitoring and evaluation framework for the implementation of the strategy and the action plans, and pay special attention to children belonging to the most vulnerable groups.</p>	<p>The UK State Party and devolved governments should publish national action plans for Convention implementation, setting priorities and actions to address the recommendations made in these Concluding Observations and ensure continuous progress in implementing the Convention across the UK. National action plans should be informed by the views and experiences of children, including disabled children, looked after children, minority ethnic children, Gypsy/Traveller children, children affected by HIV and LGBT young people.</p> <p>It should contain clear, resourced and time-specific actions alongside a robust monitoring framework. Progress should be reviewed on an annual basis. The requirement to make best interests a primary consideration should be explicit within the action plans. Action plans should include steps to ensure that the views of children are considered and taken into account in the development of policy that affects them in a coherent and systematic manner (<i>echoes Children's Commissioners</i>).</p>	Publish a national action plan for implementation, setting priorities and actions to ensure continuous progress in implementing the Convention in the exercise of devolved governmental functions	YES - WG & UK

9	<p>Child Rights Impact Assessment</p>	<p>The Committee recommends that the State party:</p> <p>(a) Introduce a statutory obligation at national and devolved levels to systematically conduct a child rights impact assessment when developing laws and policies affecting children, including in international development cooperation;</p> <p>(b) Publish the results of such assessments and demonstrate how they have been taken into consideration in the proposed laws and policies.</p>	<p>The UK State Party and devolved governments should implement legislation to carry out children's rights impact assessments on any proposed policies, budgetary decisions and legislation likely to affect children and young people. All children's rights impact assessments should draw on the views and experiences of children and consideration should be made of how best to ensure any negative impact upon children can be mitigated. Particular consideration should be given to the impact decisions have on vulnerable and marginalised children. Impact assessments should be timely, accessible and understandable to enable scrutiny by civil society and children and young people (<i>echoes Children's Commissioners</i>).</p>	<p>Make discrete children's rights impact assessment within or alongside the integrated strategic assessment tool, ensuring full compliance with the Rights of Children and Young Persons (Wales) Measure 2011.</p>	<p>YES (WG)</p>
10	<p>Coordination</p>	<p>The Committee reiterates its previous recommendation that the State party ensure effective coordination of the implementation of the Convention throughout the State party.</p> <p>To this end, the Committee recommends that the State party:</p> <p>(a) In each of the devolved administrations, Overseas Territories and the Crown Dependencies, establish an appropriate statutory body at a high inter-ministerial level with a clear mandate and sufficient authority to coordinate all activities across relevant sectors related to the implementation of the Convention;</p>	<p>The UK State Party and devolved governments should establish structures that ensure effective co-ordination and monitoring of Convention implementation across national and local government. Structures in place at a UK and devolved level should include:</p> <ul style="list-style-type: none"> • A Cabinet Minister for Children (with responsibility for oversight of discharge of the Convention duties in Scotland and Wales), supported by Children's Cabinet Committee and a cross-cutting children's rights unit with adequate resources and authority; • Permanent structures to facilitate the systematic participation and involvement of children and young 	<p>The First Minister of Wales should:</p> <ul style="list-style-type: none"> • Ensure that all Welsh Ministers are aware of their non-delegable duty of due regard to the Convention and have sufficient training to discharge it. • Appoint a Welsh Minister for Children with responsibility for oversight of discharge of the duty of due regard 	<p>YES (WG)</p>

		<p>(b) Allocate sufficient human, technical and financial resources to the said coordinating bodies for their effective operation;</p> <p>(c) Strengthen coordination and evaluation of the implementation of the Convention at the national level.</p>	<p>people of all stages of policy making;</p> <ul style="list-style-type: none"> • Permanent structures to facilitate children and young people's participation and involvement in scrutiny, such as child and youth parliaments and other accountability mechanisms. 	<p>across Welsh Government.</p>	
11-12	<p>Allocation of Resources</p>	<p>(11) The Committee is seriously concerned at the effects that recent fiscal policies and allocation of resources have had in contributing to inequality in children's enjoyment of their rights, disproportionately affecting children in disadvantaged situations</p> <p>(12) In accordance with article 4 of the Convention and Sustainable Development Goal 10, Targets 10.2 and 10.4, the Committee urges the State party to allocate the maximum extent of available resources for the implementation of children's rights, with a special focus on eradicating child poverty and reducing inequalities within and across all jurisdictions.</p> <p>In this endeavour, the Committee recommends that the State party:</p> <p>(a) Utilize a child-rights approach in the elaboration of the State budget, by implementing a tracking system for the allocation and use of resources for children throughout the budget;</p> <p>(b) Ensure transparent and participatory budgeting through public dialogue, including with children;</p> <p>(c) Define budgetary lines for children in disadvantaged or vulnerable situations that may require affirmative social measures and make sure that those</p>	<p>The UK State Party and devolved governments should ensure all local and national decisions on resource allocation are carried out in line with the requirements of Article 4 of the Convention so as to spend the 'maximum extent of available resources' so as to prioritise the rights of children. Particular attention must be given to children living in poverty or at risk of social exclusion (<i>echoes Children's Commissioners</i>).</p> <p>The UK State Party and devolved governments should establish transparent and participatory budgetary decision-making processes and regularly publish disaggregated budgets showing spending on children (<i>echoes Children's Commissioners</i>).</p> <p>The Scottish and Welsh Governments should improve the necessary systems to enable routine analysis of all Government spending on children in all budget areas to ensure full compliance with the Children and Young People (Scotland) Act and the Rights of Children and Young Persons (Wales) Measure 2011.</p>	<ul style="list-style-type: none"> • Improve the necessary systems to enable routine analysis of all Government spending on children in all of its future budgets. • Target the 'maximum extent of available resources' to those children and young people who are the most vulnerable and the poorest. 	<p>YES (WG & UK)</p>

		<p>budgetary lines are protected even in situations of economic recessions;</p> <p>(d) Regularly conduct child rights impact assessments of budget and economic decision-making processes and outcomes, including austerity measures, in areas that are directly or indirectly related to children's rights;</p> <p>(e) Establish mechanisms to monitor and evaluate the adequacy, efficacy and equitability of the distribution of resources allocated to the implementation of the Convention.</p>			
14-15	Independent Monitoring	<p>(14) The Committee welcomes the increased independence of the Children's Commissioners in the four devolved administrations of the State party and the many initiatives that they have taken to ensure the promotion and protection of the rights of the child. Nevertheless, the Committee is concerned that the powers of the Commissioners for Northern Ireland and Wales are still limited (14)</p> <p>(15) With reference to the Committee's general comment No. 2 (2003) on general measures of implementation, the Committee recommends that the State party (15)</p> <p>(a) Further strengthen the independence of established Children's Commissioners, in line with the Paris Principles, and enable them, inter alia, to receive and investigate complaints from or on behalf of children concerning violations of their rights;</p> <p>(b) Allocate to the Commissioners in all jurisdictions the necessary human and financial resources in order to carry out their mandate in an effective and coordinated manner</p>	<p>The Children's Commissioners' offices should have adequate human and financial resources and capacity to carry out the mandate of the office, and ensure the rights of all children across the UK are respected, protected and fulfilled (<i>echoes Children's Commissioners</i>).</p> <p>The Welsh Government should respond positively to the Shooter Review's recommendations regarding reform of the office of Children's Commissioner for Wales, in particular: promote legislation giving the Commissioner powers to respond effectively to any matter affecting a child in Wales; make the Commissioner accountable to the National Assembly for Wales rather than the Welsh Government; and adequately resource the Commissioner to conduct or commission research and to engage with children and young people from all sections of society (<i>echoes Children's Commissioners</i>).</p>	<p>Respond positively to the Shooter Review's recommendations regarding reform of the office of Children's Commissioner for Wales, in particular:</p> <ul style="list-style-type: none"> • promote legislation giving the Commissioner powers to respond effectively to any matter affecting a child in Wales; • make the Commissioner accountable to the National Assembly for Wales rather than the Welsh Government; and adequately resource the Commissioner to conduct or 	YES

				commission research and to engage with children and young people from all sections of society	
18	Children's Rights & the Business Sector	<p>With reference to its General Comment No. 16 (2013) on State obligations regarding the impact of business on children's rights, the Committee recommends that the State party:</p> <p>(a) Integrate an explicit focus on children's rights, including the requirement for businesses to undertake child-rights due diligence, in the revised version of its first National Action Plan on Business and Human Rights;</p> <p>(b) Establish and implement regulations to ensure that the business sector, including in the context of public procurement, complies with the rights of the child.</p>	<p><u>Business and Procurement (taken from Special Protection Measures)</u></p> <p>The UK State Party and devolved governments must ensure that all business enterprises are adequately regulated within a clear legal and institutional framework, enabling them to respect children's rights across their global operations by conducting human rights due diligence that considers the specific impacts of their operations on children. This should include a requirement on all businesses that are awarded large public sector contracts to undertake and report on their human rights due diligence, with particular attention to children.</p>		YES
-	-	-	<p><u>Devolution</u></p> <p>The UK State Party, in cooperation with the devolved governments, should conduct a UK-wide examination of the impact of devolution on the protection and promotion of human rights. The UK State Party and devolved governments should put in place a formal mechanism that ensures the devolved nations are routinely and comprehensively involved in Convention reporting. This should be established with the involvement of governments, national human rights</p>		

			institutions and civil society and should ensure clear representation of distinct Scottish and Welsh issues within the UK Periodic Report (<i>echoes Children's Commissioners</i>).		
-	-	-	<p>Human Rights Act</p> <p>There should be no diminution of children's rights protection in law. Any changes to human rights legislation in the UK must be underpinned by the following principles:</p> <ul style="list-style-type: none"> • All the protections in the Human Rights Act must be retained; • Any new British Bill of Rights should build upon, rather than reduce, the protection of the fundamental rights of all children in the jurisdiction without discrimination. It should also provide effective judicial remedies including through the European Court of Human Rights; • The UK State Party should ensure that any new proposals are developed through a consultative and democratic process in which children's Article 12 rights are fully respected and the devolved nations are fully involved (<i>echoes Children's Commissioners</i>). 		

			<p><u>Dissemination, training and awareness raising</u></p> <p>The UK State Party and devolved governments should prepare a comprehensive strategy that encompasses and coordinates activities to ensure that all of the provisions of the Convention are widely known and understood by adults and children, across government, local authorities, public bodies, businesses and at a local community level. This should include steps to ensure:</p> <ul style="list-style-type: none"> □ All professionals working with and for children, including those in the justice system, social services and health-care settings, receive statutory, pre and ongoing post qualifying training; <p><i>(some points included in Education section)</i></p> <p>All types of schools teach children about the Convention. This should include education on issues around traveller communities, living in care, disabilities, transgender and Special Educational Needs/Additional Support for Learning (SEN/ADSL) to help reduce discrimination as well as how children can use their rights in practical, day-to-day situations;</p> <ul style="list-style-type: none"> □ Age-inclusive, consultative and child-led methods of dissemination are encouraged; □ All professional training covers the effective participative engagement with vulnerable and marginalised children and children are actively involved in its delivery; □ All training includes full appreciation of the nature of the best interests requirement in Article 3 and General Comment No. 14. 	<p>Develop, through discussion with statutory and nongovernmental stakeholders, a comprehensive strategy for raising awareness and understanding of the Convention throughout Wales</p>	
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			<p>Cooperation with civil society The UK State Party and devolved governments should put in place and adequately resource mechanisms to engage the NGO community and civil society groups. This should inform planning and policy making and enable children and young people to work effectively and systematically with government to monitor the implementation of the Convention. When children and young people are invited to participate, they should be given clear feedback about who listened and what influence their contribution made.</p>	<ul style="list-style-type: none"> • Continue to engage and increase engagement wherever possible with the NGO community and civil society groups to inform planning, policy making and implementation work. • Ensure that when Welsh Government invites children and young people to participate, the children and young people have clear feedback about who listened and what influence their contribution made. 	
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C GENERAL PRINCIPLES (Article 2,3,6 and 12)					
CO No	CO Sub Heading	Concluding Observations (applicable to Wales)	GB NGO Recommendation pre-hearing (May 2016)	Wales Recommendation (June 2015)	To Uk* or Welsh Gov
20-24	Non-Discrimination	<p>(20) The Committee is concerned that:</p> <p>(a) A number of provisions under the Equality Act (2010) exempt children from the protection against age discrimination</p> <p>(b) Counter-terrorism measures do not enjoy public confidence owing to the lack of transparency and are widely perceived to have a discriminatory or stigmatizing effect on children, in particular Muslim children</p> <p>(c) Many children in certain groups, including Roma, gypsy and traveller children, children of other ethnic minorities, children with disabilities, children in care, migrant, asylum-seeking and refugee children and lesbian, gay, bisexual, transgender and intersex children, continue to experience discrimination and social stigmatization, including through the media.</p> <p>21. The Committee recommends that the State party:</p> <p>(a) Consider the possibility of expanding legislation to provide protection of</p>	<p>The UK State Party should amend existing equalities legislation to ensure all children have equal legislative protection from age discrimination (<i>echoes Children's Commissioners</i>).</p> <p>Further steps should be taken by the UK State Party and devolved governments to combat gender stereotypes and address discrimination experienced by particular groups of children, including disabled children, minority ethnic children, Gypsy/Traveller children, children affected by HIV, LGBT young people and children affected by gender identity issues. This should include steps to:</p> <ul style="list-style-type: none"> Invest on a nationwide basis in the implementation of and training on the use of school resources which promote cultural awareness and support to tackle bullying and discrimination; Proactively monitor media and promote subsequent action by equalities bodies and organisations tackling hate crime; Evaluate the ways in which vulnerable and marginalised children are able to, and do give their views, and have them taken into account on issues affecting them. <p><u>Age (taken from Definition of the Child section)</u></p>	<ul style="list-style-type: none"> Consult with young Gypsies, Roma and Travellers as to their priorities to inform the revised Children's Rights National Action Plan. Proactively monitor media and promote subsequent action by equalities bodies and organisations tackling hate crime. Invest Wales-wide in the implementation of and training on the use of existing school resources which promote cultural awareness and support to tackle bullying and discrimination in schools. 	YES (WG & UK)

		<p>all children under 18 years of age against discrimination on the grounds of their age;</p> <p>(b) Strengthen the oversight mechanism, including regular independent reviews, to assess and ensure that the implementation of the counter-terrorism and counter-extremism measures, including the Prevent Strategy (2011), will not have a discriminatory or stigmatising impact on any group of children;</p> <p>(c) Strengthen its awareness-raising and other preventive activities against discrimination and stigmatization, and, if necessary, take temporary special measures for the benefit of children in vulnerable situations. (21)</p> <p>22. The Committee recalls its previous recommendation that the State party take urgent measures to address the “intolerance of childhood” and general negative public attitude towards children, especially adolescents, within society, including in the media.</p>	<p>The UK State Party and devolved governments should undertake a review of age based legislation to ensure that all protective rights in the Convention apply to all those aged under 18 years of age (<i>echoes Children’s Commissioners</i>).</p> <p><u>Gypsy Traveller</u> The UK and devolved governments should strengthen efforts to remove stigma and discrimination for Gypsy/Traveller communities. A statutory duty for local authorities to provide safe and adequate sites for Gypsy/Travellers should be reintroduced. Mechanisms should be put in place to ensure that Gypsy/Traveller communities, including children, can meaningfully participate in planning and decision-making processes.</p> <p><u>Counterterrorism (taken from Civil Rights section)</u> The UK State Party and Scottish Government should assess measures taken to counter terrorism, such as Prevent, to ensure they do not breach children’s rights. Measures should be developed in collaboration with those children most likely to be affected and be monitored, evaluated and reviewed on an ongoing basis (<i>echoes Children’s Commissioners</i>).</p>		
25-26	Best Interests of the Child	<p>25. The Committee regrets that the right of the child to have his or her best interests taken as a primary consideration is still not reflected in all legislative and policy matters and judicial decisions affecting children, especially in the area of alternative care, child welfare, immigration, asylum and refugee status, criminal justice and in the armed forces. Furthermore, in some overseas</p>	<p>The UK State Party and devolved governments should ensure the ‘best interests of the child’ is a primary consideration in all legislative, administrative and judicial decisions concerning children, except where a higher standard already applies. The requirement to treat children’s best interests as a primary consideration should be enshrined in laws relating to children, including in relation to juvenile justice and immigration, and should be explicitly used in implementation of the Well-being of Future</p>	<ul style="list-style-type: none"> • Ensure that training for its own officials and professionals whose work is regulated by Welsh Government, includes full appreciation of the nature of the requirement in 	YES (WG)

		<p>territories, there is no legal provision to guarantee this right.</p> <p>26. With reference to its general comment No 14 (2013) on the right of the child to have his or her best interests taken as a primary consideration, the Committee recommends that the State party, in all parts of its territory:</p> <p>(a) Ensure that this right is appropriately integrated and consistently interpreted and applied in all legislative, administrative and judicial proceedings and decisions as well as in all policies, programmes and projects that are relevant to and have an impact on children;</p> <p>(b) Develop procedures and criteria to provide guidance to all relevant persons in authority for determining the best interests of the child in every area and for giving it due weight as a primary consideration.</p>	<p>Generations (Wales) Act 2015 and Children and Young People (Scotland) Act 2014 (<i>echoes Children's Commissioners</i>).</p>	<p>Article 3 and General Comment No. 14.</p> <ul style="list-style-type: none"> • Make explicit in its Children's Rights National Action Plan and its Children's Rights Scheme, the requirement to make best interests a primary consideration. • Ensure that the best interests principle is explicitly used in implementation of the Well-being of Future Generations (Wales) Act 2015. 	
27-28	Right to Life, Survival and Development	<p>(27) The Committee is concerned that:</p> <p>(a) Research indicates that the infant and child mortality in the State party, including suicide, is linked with the level of social and economic deprivation;</p> <p>(b) Mechanisms for reviews of any unexpected death or serious injury involving children have not been established or operationalized in most parts of the State party.</p> <p>28. The Committee recommends that the State party:</p>	<p>The UK State Party and devolved governments should:</p> <ul style="list-style-type: none"> • Ensure there is an independent and public inquiry into the unexpected death of any child who is looked after or detained in a residential setting, including in custody or a mental health setting (<i>echoes Children's Commissioners</i>); • Address the most common causes of mortality in children and undertake measures to reduce them; • Publish comprehensive data on all child deaths in all institutional settings spanning 	-	YES (WG)

		<p>(a) Address underlying determinants of infant and child mortality, including social and economic deprivation and inequality;</p> <p>(b) Introduce automatic, independent and public reviews of unexpected death or serious injury involving children, including in custody, care and mental health care institutions in all the territory of the State party.</p>	<p>education, health, care, custody, mental health settings and the military on an annual basis. Disaggregated data should be collected and made available on children who self-harm or attempt suicide, including those in care, custody, health settings and immigration detention;</p>		
29-32	Respect for the Views of the Child	<p>(29) The Committee is concerned that:</p> <p>(a) Children's views are not systematically heard in policymaking on issues that affect them;</p> <p>(b) The reforms concerning the reduction of legal aid in all four jurisdictions appear to have a negative impact on the right of children to be heard in judicial and administrative proceedings affecting them;</p> <p>(c) Youth parliaments have not been established or operationalized in Northern Ireland, Wales, Montserrat, Turks and Caicos or Jersey;</p> <p>(d) Many children feel that they are not listened to by their social workers, reviewing officers, paid carers, judges, personnel working with children in conflict with the law or other professionals in matters affecting them, including in family proceedings.</p> <p>30. With reference to its general comment No. 12 (2009) on the right of the child to be heard, the Committee recommends that the State party:</p>	<p>The UK State Party and devolved governments should:</p> <ul style="list-style-type: none"> • Ensure that children's rights to express their view, and to have these views given due weight according to their age and maturity, are enshrined in all laws relating to children and apply to all children, including those in the armed forces; • Demonstrate how arrangements for children's participation (of all ages) result in influence on its decision-making. Where children's views are sought, mechanisms should be created to provide feedback regarding how their views and experiences have influenced decision-making. This is of particular importance where a decision appears to directly contradict the views expressed by children (<i>echoes Children's Commissioners</i>); • Develop a comprehensive national strategic approach to children and young people's participation, informed by the views of children, including provision of clear, measurable objectives to encourage consistency. This should ensure that their voices are considered and taken into 	<ul style="list-style-type: none"> • Demonstrate how its arrangements for young people's participation result in influence on its decision-making • Develop a comprehensive national strategic approach to children and young people's participation including the provision of clear measurable objectives to encourage consistency • Address the issues identified in the review of advocacy services by the Children's Commissioner for Wales 	YES (WG/UK)

		<p>(a) Establish structures for the active and meaningful participation of children and give due weight to their views in designing laws, policies, programmes and services at the local and national level, including in relation to discrimination, violence, sexual exploitation and abuse, harmful practices, alternative care, sexual and reproductive education, leisure and play. Particular attention should be paid to involving younger children and children in vulnerable situations, such as children with disabilities;</p> <p>(b) Assess the impact and expedite the review of the reforms on legal aid in England, Wales and Scotland, and conduct child rights impact assessment of the proposed reforms in Northern Ireland and Jersey, in order to ensure that such reforms do not negatively affect children's access to justice, and guarantee effective participation of children in such assessment and review;</p> <p>(c) Expedite the establishment of Youth Parliaments in all devolved administrations and territories as permanent fora for children's effective engagement with national legislative processes on issues that affect them;</p> <p>(d) Ensure that children are not only heard but also listened to and their views given due weight by all professionals working with children.</p>	<p>account in the development of policy that affects them in a coherent and systematic manner. In Scotland, this should be accompanied by an implementation plan that takes forward the Ministerial duties included in the Children and Young People (Scotland) Act 2014.</p> <p>The UK Government should extend its Youth Voice programme to include children under the age of 10; and include the consideration of children's views in open policy making within its Open Government Partnership action plan.</p> <p>The Welsh Government should address the issues identified in the review of advocacy services by the Children's Commissioner for Wales, and adequately resource and publicise the Meic services and their evaluation. The national participation standards should be promoted and enforced, underpinned by a permanent structure of participation. The Welsh Government should commit to establishing an independent, youth-led, democratically elected assembly for young people in Wales.</p> <p><u>Legal Aid (taken from GIA section)</u> The UK State Party and devolved governments should ensure all children have access to confidential and independent legal aid and assistance and can access justice and challenge decisions which affect their lives, welfare and rights. This should include funding for specialist services for vulnerable children, including migrant and looked after children. A review of legal aid should be carried out at the earliest opportunity. The Scottish Government should ensure that eligibility for civil legal aid is based on the child's own income, rather than parental income (<i>echoes Children's Commissioners</i>).</p>	<ul style="list-style-type: none"> • Adequately resource and publicise the Meic services and their evaluation 	
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			<p>The UK State Party and devolved governments should ensure that all children have access to legal aid based on the child's need regardless of whether or not they have been lawfully resident in the UK for a continuous 12 month period.</p> <p><u>Administrative Proceedings</u> The UK State Party and devolved governments should:</p> <ul style="list-style-type: none"> • Ensure that independent, professional and confidential advocacy is widely available to ensure children can actively take part in decisions about their lives and future. In Wales, this should comply with the National Standards for the Provision of Children's Advocacy Services. Children should be informed of their right to be heard and taken seriously. Training and support should be provided on an ongoing basis to all professionals working with children, including the judiciary. Any consultative methods should be fully assessable and of good practice standard; • Introduce a legal duty to ensure that all children subject to administrative proceedings have the statutory right to an independent and confidential advocate (<i>echoes Children's Commissioners</i>). <p><u>Voting (taken from Civil Rights section)</u> The UK State Party and devolved governments should:</p> <ul style="list-style-type: none"> • Extend the right to vote and stand in public elections and referenda to 16 and 17 year olds (<i>echoes Children's Commissioners</i>); 		<p>YES (UK/WG)</p>
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		32. The Committee encourages the State party and devolved administrations to conduct consultations with children on the voting age. Should the voting age be lowered, the Committee recommends that the State party ensure that it is supported by active citizenship and human rights education in order to ensure early awareness of children that rights are to be exercised as part of citizenship, with autonomy and responsibility, and that the measure does not lend itself to undue influence.	<ul style="list-style-type: none"> Further harness and encourage the political engagement of children. This should include encouraging democratic engagement in schools and other community learning settings, including compulsory education about democratic and participative structures and institutions in school curricula, involving local participation workers and youth workers in the provision of information, and ensuring the involvement of more vulnerable and isolated groups of children. 		
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D CIVIL RIGHTS & FREEDOMS (ARTICLE 7, 8 AND 13-17)					
CO No	CO Sub Heading	Concluding Observation (applicable to Wales)	GB NGO Recommendation pre-hearing (May 2016)	Wales Recommendation (June 2015)	To UK* or Welsh Gov
34-35	Freedom of thought, conscience and religion	<p>(34) The Committee is concerned that pupils are required by law to take part in a daily religious worship which is “wholly or mainly of a broadly Christian character” in publicly funded schools in England and Wales, and that children do not have the right to withdraw from such worship without parental permission before entering the sixth form. In Northern Ireland and Scotland, children do not have right to withdraw from collective worship without parental permission.</p> <p>35. The Committee recommends that the State party repeal legal provisions for compulsory</p>	<p><i>(taken from Education section)</i> <u>Religious education</u> The UK and devolved governments should ensure that all children have the right to access a broad religious studies curriculum, including a non-religious world-view. The degree to which state schools can religiously select should be gradually reduced.</p>	-	YES (WG)

		attendance at collective worship in publicly funded schools and ensure that children can independently exercise the right to withdraw from religious worship at school.			
36	Freedom of association and peaceful assembly	In order to fully guarantee children's right to freedom of movement and peaceful assembly, the Committee recommends that the State party: (a) Prohibit the use of mosquito devices (acoustic youth dispersal devices) in public spaces; (b) Collect data on measures used against children, including children aged 10-11 years, to deal with anti-social behaviours, as well as dispersal, and monitor the criteria and proportionality of their use.	The UK State Party and devolved governments should ban the use of mosquito devices in public spaces and make legislative changes to ensure that the range of Injunctions to Prevent Nuisance and Annoyance and dispersal directions cannot be issued in response to normal childhood behaviour or behaviour that results from unmet SEN needs. Breach of such injunctions should not result in a custodial sentence.	-	YES (UK/WG)
37	Right to Privacy	The Committee recommends that the State party: (a) Prohibit the use of non-statutory stop-and-search checks against children; (b) Ensure that the statutory use of the stop-and-search checks is proportionate, taking into consideration the age and maturity of the child, and non-discriminatory; (c) Regularly collect, analyse and publish data relating to the use of stop and search on children, disaggregated by age, sex, disability, geographic location, ethnic origin and socioeconomic background.	Police forces across the UK State Party should be required to routinely collect, analyse and publish data relating to the use of stop and search on children (disaggregated by age and other key factors), in order to ensure that children, or particular groups of children, are not being disproportionately targeted (<i>echoes Children's Commissioners</i>). The Home Office annual review of stop and search should assess the proportionality of age alongside other protected characteristics. Statutory stop and searches should be used as a last resort rather than a routine tactic, and be effectively regulated within a strengthened legal framework. The UK State Party and devolved governments should legislate to ensure there is no 'naming and shaming' of children in conflict with the law or who	-	YES

			<p>are subject to anti-social behaviour provisions. This should include measures to:</p> <ul style="list-style-type: none"> • Protect the identity of a child in receipt of the new anti-social civil injunction; • Include a presumption that the privacy of children involved in criminal proceedings will be protected; • Extend the power of the courts to protect the identity of child defendants after they reach the age of 18. <p>Systems should be put in place at a local level throughout the UK to ensure children's information is processed securely, accurately and in the best interests of the child.</p> <p><u>DNA</u> The UK State Party should legislate to ensure children are treated distinctly from adults in relation to their DNA and fingerprints. In line with Article 40 of the Convention, innocent children should not have their personal data held for up to five years, and the data of children convicted of a more serious offence or two minor offences should not be held indefinitely.</p>		
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E VIOLENCE AGAINST CHILDREN (ARTICLE 19,24, PARA 3, 28, PARA 2, 34, 37(A) AND 39)					
CO No	CO Sub Heading	Concluding Observation (applicable to Wales)	GB NGO Recommendation pre-hearing (May 2016)	Wales Recommendation (June 2015)	To UK*or Welsh Gov
38-39	Torture and other cruel or degrading treatment or punishment	<p>(38) The Committee is concerned about:</p> <p>(a) The use by the police of Tasers and, in the case of Northern Ireland, attenuating energy projectiles against children in the four devolved administrations;</p> <p>(b) The increased use of restraint and other restrictive interventions against children in custodial settings in England and Wales and the lack of data on the use of restraint in other parts of the State party;</p> <p>(c) The use of physical restraint on children to maintain good order and discipline in young offenders' institutions and of pain-inducing techniques on children in institutional settings in England, Wales and Scotland, and the lack of a comprehensive review of the use of restraint in institutional settings in Northern Ireland;</p> <p>(d) The use of restraint and seclusion on children with psychosocial disabilities, including children with autism, in schools.</p> <p>(39) With reference to the Committee's general comment No. 13 (2011) on the right of the child to freedom from all forms of violence and Sustainable Development Goal 16, Target 16.2, the Committee urges the State party to:</p> <p>(a) Prohibit the use of electrical discharge weapons, such as Taser guns, AEPs (Northern Ireland) and any other harmful devices on children</p>	<p>The UK State Party should :</p> <ul style="list-style-type: none"> Ban the use of Tasers on children. In the meantime, the regulations, guidance and transparency around the use of Tasers on children should be improved (<i>echoes Children's Commissioners</i>). Regularly publish fully disaggregated national data on the use of harmful devices against children; Prohibit the use of harmful devices on children by prison, police and immigration staff including ratchet handcuffs and chains. <p><u>Restraint (taken from Special measures section)</u> The UK State Party and devolved governments should ensure that restraint against children is only used as a last resort and exclusively to prevent harm to the child or others. It should never be used to deliberately inflict pain. All methods of physical restraint for disciplinary purposes should be abolished (<i>echoes Children's Commissioners</i>).</p> <p>All institutional settings, whether run by the State or by private or voluntary organisations, should be open and transparent about their approaches to discipline and behaviour management.</p>	-	YES (WG/UK)

		<p>and systematically collect and publish age disaggregated data on their use in order to monitor the implementation of such prohibition;</p> <p>(b) Abolish all methods of restraint against children for disciplinary purposes in all institutional settings, both residential and non-residential, and ban the use of any technique designed to inflict pain on children;</p> <p>(c) Ensure that restraint is used against children exclusively to prevent harm to the child or others and only as a last resort;</p> <p>(d) Systematically and regularly collect and publish disaggregated data on the use of restraint and other restrictive interventions on children in order to monitor the appropriateness of discipline and behaviour management for children in all settings, including in education, custody, mental health, welfare and immigration settings.</p>			
40	Corporal Punishment	<p>With reference to its general comment No. 8 and its previous recommendations, the Committee urges the State party, in all devolved administrations, Overseas Territories and Crown Dependencies, to:</p> <p>(a) Prohibit as a matter of priority all corporal punishment in the family, including through the repeal of all legal defences, such as “reasonable chastisement”;</p> <p>(b) Ensure that corporal punishment is explicitly prohibited in all schools and educational institutions and all other institutions and forms of alternative care;</p>	<p>The UK State Party and devolved governments should ensure children have the same protection as adults from violence by repealing the defences of “reasonable chastisement” and “justifiable assault” with immediate effect and prohibit the use of all corporal punishment of children. Positive parenting approaches to discipline should be promoted and sufficiently resourced, alongside professional training in positive childrearing, to equip parents with positive forms of behaviour management techniques (<i>echoes Children’s Commissioners</i>).</p>	<ul style="list-style-type: none"> Embrace its stated commitments to children’s rights and demonstrate leadership on this issue as a matter of urgency by promoting legislation to abolish the defence of reasonable chastisement in proceedings for assault on a child in Wales 	YES (WG)

		(c) Strengthen its efforts to promote positive and non-violent forms of discipline and respect for children's equal right to human dignity and physical integrity, with a view to eliminating the general acceptance of the use of corporal punishment in child-rearing.		<ul style="list-style-type: none"> Continue to invest resources to actively promote positive, non-violent discipline of children 	
41-42	Violence, abuse and neglect	<p>(41) The Committee welcomes the introduction of a new domestic abuse offence to capture coercive and controlling behaviour in intimate and familial relationships, as introduced in the Serious Crime Act (2015) in England and Wales. However, the Committee is concerned at:</p> <p>(a) The high prevalence of domestic violence and gender-based violence against women and girls, and the negative impact that those forms of violence have on children, whether as victims or witnesses;</p> <p>(b) The Children and Young Persons Act (1933), which defines a child as a person under the age of 16 for the purpose of the criminal law on child abuse and neglect;</p> <p>(c) The lack of due respect for the views of children in responses to violence against children and in family law proceedings.</p> <p>42. With reference to its general comment No. 13 (2011) and Sustainable Development Goal 16, Target 16.2, the Committee recommends that the State party:</p> <p>(a) Revise the Children and Young Persons Act (1933) in order to protect all children under 18 years from child abuse and neglect;</p>	<p>The UK State Party should raise the age of victims under Section 1 of the Children and Young Persons Act 1933 from 16 to 18 to ensure all children can be protected as victims of child abuse and neglect.</p> <p>The UK State Party and devolved governments should ensure that there is consistency in safeguarding law and policy across all children's settings. This should include ensuring that:</p> <ul style="list-style-type: none"> Safeguarding structures work effectively; Regional Safeguarding Children's Boards are accountable to the National Independent Safeguarding Board and that children's safeguarding issues are not side-lined while the adult protection framework is developed; Children's rights are reflected in training to support professionals to 'ask and act' in relation to domestic abuse; There is effective and regular measurement of the violence and abuse experienced by children and young people in all settings; Steps are taken to ensure that children and young people who have experienced abuse can access appropriate, child-centred therapeutic services as required. <p>Neglect National strategies on child neglect should be produced to create a unified system that ensures neglected</p>	<ul style="list-style-type: none"> Ensure independent professional advocacy services are available and accessible to children across Wales and comply with the National Standards for the Provision of Children's Advocacy Services. Ensure that the new safeguarding structures work effectively, that Regional Safeguarding Children's Boards are accountable to the National Independent Safeguarding 	YES (WG)

		<p>(b) Strengthen systematic data collection and recording of information on violence against children, including domestic violence, gender-based violence, abuse and neglect, in all settings, as well as information sharing and referral of cases among relevant sectors;</p> <p>(c) Increase the number of social workers and strengthen their capacity to address violence against children;</p> <p>(d) Give due weight to the views of children concerned in the responses to violence, including in criminal and family law proceedings;</p> <p>(e) Consider ratifying the Council of Europe Convention on preventing and combating violence against women and domestic violence.</p>	<p>children receive the help they need. Strategies should also include early help to avoid crisis intervention and reflect the complex nature of child neglect.</p> <p>Data on abuse and neglect allegation made in respect of children in institutional settings should be published annually. This should set out the number of allegations that led to investigations and the outcomes of such investigation.</p>	<p>Board and that children's safeguarding issues are not side-lined while the adult protection framework is developed.</p> <ul style="list-style-type: none"> • Ensure children's rights are reflected in training to support professionals to 'ask and act' in relation to domestic abuse. • Ensure that there is effective and regular measurement of the violence and abuse experienced by children and young people in Wales in all settings. • Take steps to ensure that children and young people who have experienced abuse can access appropriate, 	
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				child-centred therapeutic services as required	
43-44	Sexual exploitation and abuse	<p>(43) The Committee welcomes the measures taken to address child sexual exploitation and abuse, including the “WePROTECT” model national response and strong child and civil society participation in the development of a multisectoral action plan and relevant guidance and tools in Wales. However, the Committee is concerned about:</p> <p>(a) Recent allegations of widespread child sexual exploitation and abuse by high profile figures, by organized gangs and in institutional settings;</p> <p>(b) The increasing risk of online child sexual exploitation and abuse;</p> <p>(c) The insufficient respect for the views of children in efforts to prevent, detect and respond to such exploitation and abuse;</p> <p>(d) The low rate of prosecution of child sexual exploitation and abuse.</p> <p>44. The Committee recommends that the State party, including devolved governments, Overseas Territories and Crown Dependencies:</p> <p>(a) Systematically collect and publish comprehensive and disaggregated data on child exploitation and abuse, including through mandatory reporting, in all settings;</p> <p>(b) Develop and implement comprehensive multi-sectoral strategies on child exploitation and abuse, including online, to ensure effective prevention, early detection and</p>	<p>The UK State Party and devolved governments should urgently review the system of managing sex offenders to improve monitoring and prevent re-offending by individuals who pose immediate harm to children. Increased resources should be made available to police to enable them to tackle online abuse images of children and increase convictions.</p> <p>The UK State Party and devolved governments should introduce a new offence of child exploitation covering victims up to the age of 18 to better protect young people. Such an offence should stipulate that a child under the age of 18 cannot consent to their own exploitation. The UK State Party and devolved governments, police and prosecuting authorities should develop robust and reliable data collection on crimes committed against children up to the age of 18. This should include data on how many crimes have been reported to the police, the number of those that were investigated and prosecuted, and conviction rates for difference offences committed against children.</p> <p><u>Child Abduction</u> Child Abduction Warning Notices (served under Section 2 of the Child Abduction Act 1984 or Section 49 of the Children Act 1989) should be extended to all children up to the age of 18.</p>	<p><i>(from Special Protection Measures)</i></p> <ul style="list-style-type: none"> • Introduce mandatory sex and healthy relationships education across all education settings. • Identify the best mechanism for the monitoring of child sexual exploitation in Wales and provide direction on duties to monitor this form of abuse. • Place greater emphasis on early identification of risk, early intervention and prevention, and give equal priority to sexual exploitation of male and female children. 	<p>YES (WG)</p> <p>UK (f)</p>

		<p>intervention, at national as well as at devolved levels, in Overseas Territories and Crown Dependencies;</p> <p>(d) Further develop comprehensive services to support children who are victims or at risk of sexual exploitation and abuse;</p> <p>(e) Strengthen the capacity of law enforcement authorities and the judiciary to detect and prosecute child sexual exploitation and abuse, and grant effective remedies to the child victims;</p> <p>(f) Consider ratifying the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse.</p>		<ul style="list-style-type: none"> Urgently assess and act to improve services for recovery and reintegration for children and young people who have been sexually exploited. 	
45-46	Harmful Practices	<p>(45) The Committee welcomes the enactment of the Serious Crime Act (2015) in England and Wales, which enables the courts to issue protection orders to protect potential or actual child victims of female genital mutilation. However the Committee is concerned at:</p> <p>(a) The significant number of children who are affected by harmful practices, including female genital mutilation, and the forced marriage of girls and boys aged 16 and 17 years in some parts of the State party;</p> <p>(b) Cases of medically unnecessary surgeries and other procedures on intersex children before they are able to provide their informed consent, which often entail irreversible consequences and can cause severe physical and psychological suffering, and the lack of redress and compensation in such cases.</p>	-	-	YES (WG)

		<p>46. With reference to its general comment No. 18 on harmful practices (2014), the Committee recommends that the State party:</p> <p>(a) Take effective measures to ensure that marriage of children of 16-17 years of age takes place only in exceptional circumstances and is based on the full, free and informed consent of the concerned children;</p> <p>(b) Continue and strengthen preventive and protection measures to address the issue of harmful practices, including collecting data, training of relevant professionals, awareness-raising programmes, provision of protection and care to the child victims and the prosecution of perpetrators of these acts;</p> <p>(c) Ensure that no one is subjected to unnecessary medical or surgical treatment during infancy or childhood, guarantee bodily integrity, autonomy and self-determination to children concerned, and provide families with intersex children with adequate counselling and support;</p> <p>(d) Provide redress to the victims of such treatment;</p> <p>(e) Educate medical and psychological professionals on the range of sexual, and related biological and physical, diversity and on the consequences of unnecessary interventions for intersex children.</p>			
47-48	Freedom of the child from all forms of violence	<p>(47) The Committee is concerned that:</p> <p>(a) Bullying, including cyberbullying, remains a serious and widespread problem, particularly against lesbian, gay, bisexual, transgender</p>	<p><u>Bullying</u> (taken from <i>Education section</i>) The UK State Party and devolved governments should intensify their efforts to reduce bullying in schools</p>	<p>(taken from education section)</p> <ul style="list-style-type: none"> Continue its work with local 	YES (WG)

		<p>and intersex children, children with disabilities and children belonging to minority groups, including Roma, gypsy and traveller children;</p> <p>48. The Committee recommends that the State party:</p> <p>(a) Intensify its efforts to tackle bullying and violence in schools, including through teaching human rights, building capacities of students and staff members to respect diversity at school, improving students' conflict resolution skills, conducting regular monitoring of incidences of bullying at school, and involving children in the initiatives and monitoring aimed at eliminating bullying;</p> <p>(b) In the light of the recommendations resulting from the day of general discussion on digital media and children's rights, train children, teachers and families on the safe use of information and communication technologies, raise awareness among children on the severe effects that online bullying can have on their peers, and increase the involvement of social media outlets in the efforts to combat cyber-bullying.</p>	<p>(echoes Children's Commissioners). Measures should be put in place that:</p> <ul style="list-style-type: none"> • Establish national minimum standards for anti-bullying policies in consultation with children, promote awareness of them among children and young people, and ensure they are assessed through the inspection regime; • Ensure consistent and robust recording and monitoring of bullying behaviour, both in person and online, across all local authorities; • Provide teachers with adequate training to tackle bullying, including cyber bullying and bullying affecting specific groups of children, for example disabled children, and LGBT children; • Provide adequate resources to promote children's safety online including cyber bullying; • Encourage schools and all relevant organisations to involve children in the development and implementation of policies to tackle bullying. <p>Online activities (taken from Civil Rights section) The UK State Party and devolved governments should ensure all children are better informed about their right to online safety and privacy, and how to stay safe online. Internet safety information should be widely available and promoted in schools</p>	<p>authorities and schools to ensure effective implementation of existing policies on participation and on bullying</p>	
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F FAMILY, ENVIRONMENT AND ALTERNATIVE CARE (ARTICLE 5, 9-11, 18 PARA 1&2, 20-21, 25 AND 27 PARA 4)					
CO No	CO Sub Heading	Concluding Observation (applicable to Wales)	GB NGO Recommendation pre-hearing (May 2016)	Wales Recommendation (June 2015)	To UK* or Welsh Gov
49-50	Family environment	<p>(49) The Committee acknowledges that there are good practices in the State party and the devolved administrations in providing childcare to those who need it. However, the Committee is concerned about the negative effect of the high cost of childcare on children and their family environment</p> <p>50. The Committee recommends that the State party and the devolved governments conduct a rigorous child rights impact assessment of the recent reduction of funding for childcare and family support and adjust the family support policy in order to make childcare services available to all those who need it.</p>	The UK Government should exercise non-devolved powers so that Universal Credit support for childcare with a tax-free child care scheme is introduced to create a single and fair system.	<ul style="list-style-type: none"> • (taken from Standard of Living section) While recognising that employment is a key a route out of poverty, develop actions to address in-work poverty and promote activities to support engagement in work such as addressing sufficiency levels in childcare provision and promote a living wage 	YES (UK) - 50 Narrative – (WG) - 49
51-52	Children deprived of a family environment <i>(i.e. Children with Care Experience)</i>	<p>(51) The Committee is concerned about:</p> <p>(a) The increase in the number of children in care in England, Wales and Northern Ireland;</p> <p>(b) Cases where early intervention measures have not been carried out in a timely manner, parents have not been provided with adequate family support and the best interests of the child have not been properly assessed in the</p>	<p>The UK State Party and devolved governments should legislate to ensure:</p> <ul style="list-style-type: none"> • A legal presumption that it is in the best interests of siblings to be placed together unless contrary to individual welfare needs; • A requirement to ensure family and friends placements are considered and assessed first; 	<ul style="list-style-type: none"> • Ensure the Convention underpins all new policy, legislation and guidance affecting looked after children. • Ensure that cuts to budgets do not 	YES (WG)

		<p>decision of taking a child into care. Children have reportedly been removed from their biological families owing to the family's economic situation or because a foster family may provide a more beneficial environment for the child;</p> <p>(c) The frequent changes of social workers for children in care, and children often experiencing more than two family placements in a year, which negatively affects all aspects of their life;</p> <p>(d) Children placed at a distance from their biological families, which prevents them from keeping in contact, and siblings being separated from each other without proper reason;</p> <p>(f) Children leaving foster care or residential care not receiving proper support and counselling, including on their future plans, and often having to live far away from their former carers;</p> <p>52. Drawing the State party's attention to the Guidelines for the Alternative Care of Children (General Assembly resolution 64/142, annex), the Committee emphasizes that conditions directly and uniquely attributable to poverty should never be the sole justification for removing a child from parental care. The Committee recommends that the State party:</p> <p>(a) Intensify its efforts to render appropriate assistance to parents and legal guardians, including informal kinship carers, in the performance of their child-rearing responsibilities;</p>	<ul style="list-style-type: none"> • A presumption of placement close to home unless this is contrary to the child's wishes and feeling or demonstrably not in the child's best interests; • Looked after children have access to contact proceedings. <p>The UK State Party and devolved governments should ensure all looked after children have access to high quality advocacy and complaints procedures with independent review. Measures should be put in place to ensure children are made aware of their right to these facilities (<i>echoes Children's Commissioners</i>).</p> <p>The UK State Party and devolved governments should ensure more responsive and accessible support is provided for children in foster care to protect them from violence, abuse and neglect. Responses from social workers must be improved so that when children make a complaint they are believed and not left in placements where they are being abused, neglected or harmed. Responses to complaints must be sensitive and prompt. Adequate support should be given at the earliest opportunity to resolve minor issues and ensure that children are not moved between placements unnecessarily.</p> <p>The UK State Party and devolved governments should improve the recruitment, training and supervision of foster carers to ensure they respect the identity of children in their care and do not discriminate against any child in their care for any reason.</p> <p><u>Leaving Care</u> The UK State Party and Welsh Government should introduce entitlement for all young people to remain in residential care until the age of 21 (<i>echoes Children's Commissioners</i>).</p>	<p>adversely impact vital services for looked after children and that necessary investment is made.</p> <ul style="list-style-type: none"> • Develop a new policy framework for looked after children with a renewed emphasis on the role of foster care, parent and family care and inclusion of foster carers as a core element of the social care work force. • Ensure that all looked after children and young people in Wales have access to quality independent advocacy support. 	
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53-54	Children of Incarcerated Parents	<p>(53) The Committee is concerned that, due to insufficient cooperation between the courts and the child protection authorities, a parent may be sentenced to imprisonment and directly incarcerated while his or her children are left alone without proper care.</p> <p>54 The Committee recommends that the State party:</p> <p>(a) Ensure that child protection authorities are always informed when a person who has a child (children)</p>	<p>Children of Prisoners (taken from Special Protection Measures section)</p> <p>The UK State Party and devolved governments should:</p> <ul style="list-style-type: none"> Identify children affected by family members in the Armed Forces, as well as children affected by imprisonment of a carer, and proactively gather their views as to how their needs should be met; Ensure routine assessment of impact on rights of children affected before sentencing and at all stages of the criminal justice process; 	<ul style="list-style-type: none"> Introduce a national multi-agency training programme to increase the identification of affected children, support understanding of the impact of parental imprisonment by professionals and secure the appropriate referral of 	YES (UK)

		<p>is imprisoned in order to avoid situations where children are left unattended.</p> <p>(b) Take into account the best interests of the child as a primary consideration when sentencing parents, avoiding, as far as possible, sentences for parents which lead to their being separated from their children.</p>	<ul style="list-style-type: none"> Legislate to ensure Courts have due regard to the best interests of children when sentencing parents; Review sentencing guidelines for persons who are primary care-givers when convicted of low level crimes; Ensure adequate child-friendly visiting facilities in prisons; Put in place training and guidance for professionals working with children on how to identify children affected by imprisonment of a family member. <p>The Welsh Government should:</p> <ul style="list-style-type: none"> Include children affected by parental imprisonment as a specific group requiring support in guidance on implementation of the national Families First programme; Use the introduction of requirements under Part 11 of the Social Services and Well-being (Wales) Act to support the identification of children affected by parental imprisonment and to trigger a consideration of any care and support needs those children may have; Refresh guidance on pupil inclusion and well-being to include advice on identifying and supporting children of prisoners in education settings. 	<p>children for support by mainstream services</p> <ul style="list-style-type: none"> Include children affected by parental imprisonment as a specific group requiring support in guidance on implementation of the national Families First programme Use the introduction of requirements under Part 11 of the Social Services and Well-being (Wales) Act to support the identification of children affected by parental imprisonment and to trigger a consideration of any care and support needs those children may have. Refresh guidance on pupil inclusion and well-being to include advice on identifying and supporting children of prisoners in education settings. 	
		-	<p>Young Carers</p> <p>The UK State Party and devolved governments should identify, record and report on numbers of and support for young carers and work towards providing adequate support so that children do not have to care for a relative. In the meantime:</p>	-	

			<ul style="list-style-type: none">• The provision of adequate support to young carers should be appropriately resourced, including for medication collection, household financial management, short breaks and transition to adulthood, and teachers should be trained to identify and act upon the needs of young carers.		
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G DISABILITY, BASIC HEALTH AND WELFARE (ARTICLE 6, 18 PARA 3, 23, 24, 26, 27 PARA 1-3, AND 33)					
CO No	CO Sub Heading	Concluding Observation (applicable to Wales)	GB NGO Recommendation pre-hearing (May 2016)	Wales Recommendation (June 2015)	To UK* or Welsh Gov
55-56	Children with Disabilities	<p>(55) The Committee is concerned that:</p> <p>(a) Many children with disabilities do not see that their views are given due weight in making personal decisions in their life, including choice of support and future;</p> <p>(b) Many children with disabilities are still placed in special schools or special units in mainstream schools and many school buildings and facilities are not made fully accessible to children with disabilities;</p> <p>(c) Provision of the support for transition to adulthood is often neither sufficient, timely nor well-coordinated, and does not ensure fully informed decision by children with disabilities.</p> <p>56. With reference to its general comment No.9 (2006) on the rights of children with disabilities, the Committee recommends that the State party adopt a human rights-based approach to disability, set up a comprehensive strategy for the inclusion of children with disabilities and:</p> <p>(a) Ensure full respect of the rights of children with disabilities to express their views and to have their views given due weight in all decision-making that affect them, including on access to and choice of personal support and education;</p>	<p>The UK and devolved governments should:</p> <ul style="list-style-type: none"> • Target resources at enabling disabled children to overcome isolation and establish and maintain relationships; • Monitor and improve respite care and daily support services to families with disabled children; • Monitor the level and quality of short break provision for children and their carers to ensure adequate funding is available to sustain provision; • Move towards the situation where disabled children and their carers have adequate support on a day-to-day basis; • Demonstrate that planning for transition from child to adult services starts early, and conforms to Articles 3, 12 and 23 of the Convention. This includes, but is not limited to, health, education, community and other support services (<i>echoes Children's Commissioners</i>). 	<ul style="list-style-type: none"> • Act to address the recommendations of the Children's Commissioner for Wales (2007) and Contact a Family (2014) to ensure that all children and young people are able to access education • Review health provision to disabled children, young people and their families, to ensure that the range of services required to support both their specific condition and their general health are fully addressed across Wales • Ensure that all services explicitly include and record the views of disabled children and young people, detailing how 	YES (WG)

		<p>(b) Set up comprehensive measures to further develop inclusive education, ensure that inclusive education is given priority over the placement of children in specialized institutions and classes, and make mainstream schools fully accessible to children with disabilities;</p> <p>(c) Provide children with disabilities with a comprehensive and integrated package of services for transition to adulthood, from a sufficiently early stage, by coordinating legislation, policy and programmes across relevant sectors, and ensure fully-informed decision by children with disabilities on their personal choice in the transition, by involving them in the design of services and by providing advice and information on available options.</p>		those views were gathered	
57-58	Health and health services	<p>(57) The Committee is concerned at the inequality in access to health services and health outcome, negatively affecting Roma, gypsy and traveller children, children belonging to other ethnic minorities, migrant children, children living in poverty and in deprived areas, children in care and in custody, children living with HIV/AIDS and lesbian, gay, bisexual, transgender and intersex children.</p> <p>(58) With reference to its general comment no. 15 (2013) on the right of the child to the enjoyment of the highest attainable standard of health,</p>	<p>Health Inequalities The UK and devolved governments should produce an overarching strategy for promoting children and young people's physical and mental health and invest the maximum extent of available resources in a multi-agency, sustainable approach to address the key socio-economic determinants to health inequalities among children. The UK State Party and devolved governments should:</p> <ul style="list-style-type: none"> • Provide local authorities and health bodies with evidence-based information and guidance on reducing health inequalities; • Adequately fund evidence-based interventions; • Prioritise and ring-fence services in every area to provide targeted health and social care to vulnerable and marginalised groups; 	<ul style="list-style-type: none"> • Invest the 'maximum extent of available resources' in a multi-agency, sustainable approach to addressing the key socio-economic determinants to poor child health, effectively implementing the policies <i>Fairer Health Outcomes for All, Together for Health, Building a Brighter Future, Strategy for Maternity Services</i>, and taking account of 	YES

		<p>the Committee recommends that the State party, the governments of devolved administrations, Overseas Territories and Crown Dependencies develop comprehensive and multi-sectoral strategies on child health:</p> <p>(a) With allocation of the maximum extent of available resources and a robust monitoring mechanism;</p> <p>(b) With a strong focus on eliminating inequalities in health outcome as well as in access to health services;</p> <p>(c) Addressing underlying social determinants of health.</p>	<ul style="list-style-type: none"> • Ensure that measures to tackle the effects of poverty and health inequality are included in national and local child poverty strategies, alongside rigorous disaggregated data which focuses on the rights and needs, outcomes, risks, and quality of service provision in relation to vulnerable and marginalised groups; • Ensure looked after children inspections include measures to ensure compliance with health promotion requirements. <p>Public health strategies</p> <p>The UK and devolved governments should develop preventive strategies on physical activity and health promotion that specifically engages vulnerable and marginalised groups. These should include measures to:</p> <ul style="list-style-type: none"> • Ensure children and adults receive teaching on healthy habits and emotional health and well-being in schools; • Hold local authorities to account for their teenage pregnancy rates through an annual audit of measures taken and their impact in high rate areas; • Further invest in smoking cessation in pregnancy services and set new national and local targets for reducing smoking rates across all stages of pregnancy and early parenthood; • Secure adequate, effective and sustainably funded health visiting services for families to promote healthy pregnancy and childhoods. <p>Provision</p> <p>The UK State Party and devolved governments should improve the quality of healthcare provision</p>	<p>the Public Health Observatory recommendations, NICE clinical and public health recommendations 2006 to 2013 and learning from the Cochrane Database</p> <ul style="list-style-type: none"> • Adequately fund the evidence-based interventions identified in <i>The burden of injury in Wales</i> to prevent accidental injuries to children. • Ensure rigorous disaggregated data collection focussing on the rights and needs, outcomes, risks, and quality of service provision in relation to vulnerable and marginalised groups. • Prioritise and ring-fence services in every area providing targeted health and social care to marginalised groups 	
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			<p>for children and young people by putting in place measures that:</p> <ul style="list-style-type: none"> • Reduce waiting times; • Ensure privacy and confidentiality; • Ensure health complaints, advocacy systems and patient surveys and other evaluative practices are accessible to all children, including disabled children; • Require annual recording and reporting of childhood mortality figures and complaints (including about lack of particular services). <p><u>Staffing & resources</u></p> <p>The UK State Party and devolved governments should invest in the staffing and resourcing of health services to improve the quality of provision for children and young people. This should include putting in place measures that:</p> <ul style="list-style-type: none"> • Provide better specialist child nurse training and training for GPs on paediatric care; • Ensure staff are fully trained and competent in consent; Fraser Guidelines; privacy and confidentiality and safeguarding; • Address current and predicted specialist staff shortages, e.g. midwives and health visitors; • Improve child/professional communications by training professionals in non-verbal methods e.g. sign language and Makaton and by improving information available to all children including disabled and non-English speakers. 		
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			<p>Children's views The UK State Party and devolved governments should ensure that all health and social care commissioning, planning, policy and practice reviews, as well as actions to address health inequalities, are informed by the views of children and young people who have been, are or may be in receipt of services, and by evidenced outcomes.</p> <p>Transgender children and young people The UK State Party and devolved governments should ensure that medical care and support services for transgender children is improved alongside enhanced training for professionals so they can better support transgender children.</p>		
59-62	Mental Health	<p>(59) The Committee welcomes the significant efforts undertaken both at the national and the devolved levels to improve mental health services. The Committee is nevertheless concerned that:</p> <p>(a) The number of children with mental health needs is increasing across the State party, including those related to alcohol, drug and substance abuse;</p> <p>(c) Children with mental health conditions are often treated far away from home (England and Scotland), do not receive adequate child-specific attention and support, are placed in adult facilities or may even be detained in police custody owing to a shortage of places in mental health clinics;</p> <p>(d) The new shortened waiting period targets established or planned in England, Wales and Scotland may not be realized in practice owing to a lack of</p>	<p>The UK State Party and devolved governments should:</p> <ul style="list-style-type: none"> Invest in universal preventative and early intervention children's services to prevent an increase in mental ill health among children; Work with local authorities, health boards and partner agencies to conduct a regular survey both of mental illness and mental well-being of children; Reflect the impact of environmental, social, technological and economic changes in the planning and delivery of mental health services. <p>The UK State Party and devolved governments should:</p> <ul style="list-style-type: none"> Ensure adequate resources are in place to enable safe, effective and accessible child and adolescent mental health 	<ul style="list-style-type: none"> Conduct a regular survey both of mental illness and mental well-being of the Welsh child population Redirect resources from other NHS services to provide adequate funds to enable an establishment of safe, effective and accessible CAMHS in Wales, across all levels of working and available and appropriate for all children. 	YES (WG)

		<p>infrastructure (number of specialists and clinics/centres);</p> <p>(e) The significant investments in improving mental health services will not necessarily lead to an improvement in the quality of services;</p> <p>(f) Therapeutic community-based services have not been sufficiently developed;</p> <p>(g) Children under the age of 16 years are excluded from protection under the Mental Capacity Act (2005) in England and Wales</p> <p>60. The Committee recommends that the State party:</p> <p>(a) Regularly collect comprehensive data on child mental health, disaggregated across the life course of the child, with due attention to children in vulnerable situations, and covering key underlying determinants;</p> <p>(b) Rigorously invest in child and adolescent mental health services and develop strategies at national and devolved levels, with clear time frames, targets, measureable indicators, effective monitoring mechanisms and sufficient human, technical and financial resources. Such strategy should include measures to ensure availability, accessibility, acceptability, quality and stability of such services, with particular attention to children at greater risk, including children living in poverty, children in care and</p>	<p>services (CAMHS), where all children are transferred appropriately between the tiers of different mental health care (<i>echoes Children's Commissioners</i>).</p> <ul style="list-style-type: none"> • Ensure that no child is placed on adult psychiatric wards; • Where private providers run treatment units, these must be subject to the same requirements as NHS-run units with regard to safeguarding measures. <p>In England, all the proposals of the children's mental health taskforce should be implemented and progress and impact should be reported on annually (<i>echoes Children's Commissioners</i>). The Welsh Government should direct CAMHS to move away from the medical model to a more holistic and preventive approach.</p> <p><u>MH and LAC</u></p> <p>The UK State Party and devolved governments should ensure the mental health needs of children in care and care leavers. Measures should be put in place that:</p> <ul style="list-style-type: none"> • Develop a nationwide 0-25 child and adolescent mental health service which meets their specific needs; • Legislate to ensure that looked after children and care leavers have an automatic right to an assessment of their mental health needs (<i>echoes Children's Commissioners</i>); • Embed emotional well-being and appropriate mental health assessment throughout the care system. <p><u>MH & Detention</u></p>	<ul style="list-style-type: none"> • Ensure CAMHS moves to a more holistic and preventive model, responding to the social determinants of mental illness and working in meaningful partnership with other players, including child health services, local authorities and NGOs 	<p>YES</p>
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		<p>children in contact with the criminal justice system;</p> <p>(c) Expedite the prohibition of placement of children with mental health needs in adult psychiatric wards or police stations, while ensuring provision of age-appropriate mental health services and facilities;</p> <p>(d) Support and develop therapeutic community-based services for children with mental health conditions;</p> <p>(e) Review current legislation on mental health to ensure that the best interests and the views of the child are taken duly into account in cases of mental health treatment of children below the age of 16, in particular with regard to hospitalization and treatment without consent.</p> <p>(61) The Committee welcomes the publication by the National Institute for Health and Care Excellence of new guidelines for the diagnosing and management of attention deficit and hyperactivity disorder and related disorders. The Committee is, however, concerned that:</p> <p>(a) The actual number of children that are given methylphenidate or other psychotropic drugs is not available;</p> <p>(b) There has reportedly been a significant increase in the prescription of psychostimulants and psychotropic drugs to children with behavioural problems, including for children under 6 years of</p>	<p>The UK and devolved governments should legislate to ensure that children assessed as having mental health needs are not held in police custody or pre-charged in youth justice custody. The number of health-based and alternative places of safety should be increased to ensure there are sufficient places available (<i>echoes Children's Commissioners</i>).</p> <p><u>Admittance to MH wards</u></p> <p>The UK and devolved governments should amend legislation to ensure that all children under 16 who are 'voluntarily' admitted to mental hospitals under the consent of their parents are given the same right of access to legal review that all citizens over 16 years deemed to lack capacity already enjoy.</p>		
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		<p>age, despite growing evidence of the harmful effects of these drugs.</p> <p>62. The Committee recommends that the State party:</p> <p>(a) Regularly collect data on the amount and regularity of psychotropic drugs (Ritalin, Concerta etc.) being prescribed to children, and make the data transparent;</p> <p>(b) Ensure that prescription of drugs is used as a measure of last resort and only after an individualized assessment of the best interests of that child, and that children and their parents are properly informed about the possible side effects of this medical treatment and about non-medical alternatives;</p> <p>(c) Establish a system of independent expert monitoring of the ADHD and related disorders diagnoses, and undertake a study on the root causes of their increase, also aimed at improving the accuracy of diagnoses</p>			
63-64	Adolescent health	<p>(63) The Committee notes with appreciation the steady decrease in teenage pregnancies in the State party during the period under review. However, the Committee is concerned that:</p> <p>(a) The rate of teenage pregnancies is still higher than the average for the</p>	<p>The UK State Party and devolved governments should give sex and relationship education statutory status, securing for all pupils a legal entitlement to health education, to strengthen the quality of provision. This should be inclusive (for example covering same-sex families and health and relationships issues for lesbian, gay, bisexual and transgender young people) with no opt outs for</p>	<ul style="list-style-type: none"> • Increase promotion and awareness of services, such as SARC's • Improve the quality of service provision, including reducing waiting times and 	YES (WG)

		<p>European Union, and higher in more deprived areas;</p> <p>(b) Relationships and sexuality education is not mandatory in all schools, its contents and quality varies depending on the school, and lesbian, gay, bisexual, transgender and intersex children do not have access to accurate information on their sexuality;</p> <p>64. With reference to its general comments No.4 (2003) on adolescent health and No. 15 (2013), the Committee recommends that the State party:</p> <p>(a) Develop and adopt a comprehensive sexual and reproductive health policy for adolescents, with particular attention to reducing inequalities and with participation of adolescents;</p> <p>(b) Ensure that meaningful sexual and reproductive health education is part of the mandatory school curriculum for all schools, including academies, special schools and youth detention centres, in all areas of the State party. Such education should provide age-appropriate information on: confidential sexual and reproductive health-care services; contraceptives; prevention of sexual abuse or exploitation, including sexual bullying; available support in cases of such abuse and exploitation; and sexuality, including that of LGBT children;</p>	<p>'faith' schools and Academies, and no rights of withdrawal for parents.</p>	<p>ensuring privacy and confidentiality for children and young people</p> <ul style="list-style-type: none"> • Ensure ISH staff is fully trained and competent in the following subject areas: Consent; Fraser Guidelines; Privacy and Confidentiality and Safeguarding. • Require schools to work in partnership with other agencies and work to a Wales wide framework with consistent standards of provision across all schools 	
65-66	Nutrition	(65) The Committee is concerned about:	<u>Breastfeeding</u>	-	YES (WG)

		<p>(a) The high prevalence of overweight and obesity among children in many parts of the State party; (b) The lack of comprehensive data on child food security, while some research indicates that currently available programmes, such as free school meal programmes, may not be effectively responding to child hunger; (c) The extremely low rate of breastfeeding, the fact that only one per cent of women maintained exclusive breastfeeding for six months in 2010, and the inadequate regulation of marketing of breast-milk substitutes.</p> <p>66. The Committee recommends that the State party:</p> <p>(a) Systematically collect data on food security and nutrition for children, including those relevant to breast-feeding, overweight and obesity, in order to identify root causes of child food insecurity and malnutrition;</p> <p>(b) Regularly monitor and assess effectiveness of policies and programmes on food security and nutrition of children, including school meal programmes and food banks, as well as programmes addressing infants and young children;</p> <p>(c) Promote, protect and support breastfeeding in all policy areas where breastfeeding has an impact on child health, including obesity, certain non-communicable diseases, and mental health, and fully implement the International</p>	<p>The UK State Party and devolved governments should:</p> <ul style="list-style-type: none"> • To enable progress to be measured, routinely collect comprehensive UK-wide national breastfeeding initiation and prevalence rates; • Establish a national infant feeding strategy board in each nation, task the boards with developing a national infant feeding strategy and implementation plans; • Enact the International Code of Marketing of Breast-Milk Substitutes and relevant resolutions of the World Health Organisation; • Ensure all hospitals, maternity, neo-natal and health visiting services maintain baby-friendly accreditation; • Investigate the low increase or static incidence of breastfeeding and provide more targeted support. 		
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		Code of Marketing of Breastmilk Substitutes.			
67-68	Environmental Health	<p>(67) The Committee is concerned at the high level of air pollution, which directly affects child health in the State party and contributes to the negative impact of climate change affecting various rights of the child, both in the State party and in other countries.</p> <p>68. With reference to Sustainable Development Goal 1, Target 1.5, the Committee recommends that the State party, including the devolved administrations in relation to devolved matters;</p> <p>(a) Set out a clear legal commitment, with appropriate technical, human and financial resources, to scale up and expedite the implementation of plans to reduce air pollution levels, especially in areas near schools and residential areas;</p> <p>(b) Place children's rights at the centre of national and international climate change adaptation and mitigation strategies, including through its new domestic climate strategy, as well as in the framework of its international climate change programmes and financial support.</p>	-	-	YES (WG/UK)
69-70	Standard of Living	<p>(69) The Committee is seriously concerned that:</p> <p>(a) The rate of child poverty remains high, disproportionately affects children with disabilities, children living in a family or household with a person or persons with a disability, households with many</p>	<p>Child Poverty The UK State Party and devolved governments should commit to making the elimination of child poverty a national priority and ensure that progress in eradicating child poverty continues against the</p>	<ul style="list-style-type: none"> Intensify assessments and monitoring of the impacts of welfare reform and spending cuts on levels of child poverty in Wales, and 	YES (WG/UK)

		<p>children and children belonging to ethnic minority groups, and affects children in Wales and Northern Ireland the most;</p> <p>(b) The Welfare Reform and Work Act (2016), which amends the Child Poverty Act (2010), repealed the statutory target on the eradication of child poverty by 2020 and the statutory obligation of the Government of the United Kingdom and the Governments of England, Scotland and Wales to produce child poverty strategies;</p> <p>(c) Recent amendments to the Tax Credits Act (2002), the Welfare Reform Act (2012) and the Welfare Reform and Work Act (2016) have limited the entitlement to child tax credits and social benefits (the “household benefit cap” and the “bedroom tax”), regardless of the needs of the households;</p> <p>70. The Committee draws the attention of the State party to the Sustainable Development Goal 1, Target 1.2, on poverty reduction and urges the State party to:</p> <p>(a) Set up clear accountability mechanisms for the eradication of child poverty, including by re-establishing concrete targets with a set timeframe and measurable indicators, and continue regular monitoring and reporting on child poverty reduction in all parts of the State party;</p> <p>(b) Ensure clear focus on the child in the State party’s poverty reduction strategies and action plans, including in the new “Life Chances Strategy”, and support</p>	<p>indicators set out in the 2010 Act. It should develop, fund and implement a plan to reduce the number of children in poverty year-on-year for the next 5 years. This should include helping parents bring home an adequate income, strengthening Universal Credit, reducing demand for foodbanks and protecting families from rising living costs (<i>echoes Children’s Commissioners</i>).</p> <p>The Scottish and Welsh Government should undertake a thorough review of how devolved powers can be exercised to help reduce child poverty, provide sufficient resources to effectively take forward, monitor and evaluate child poverty strategies and report annually on progress against key elements.</p> <p>Affordable Credit Strategies for improving access to affordable credit for families should be developed, including ‘Breathing Space’ schemes that give struggling families an extended period of protection from default charges, mounting interest, collections and enforcement action.</p> <p>Welfare Reform The child’s right to an adequate standard of living should not be negatively impacted upon as a result of welfare reform. In particular:</p> <ul style="list-style-type: none"> • Child Benefit and Child Tax Credit should rise in line with inflation, earnings, or by 2.5% – whichever is the highest; • The Benefit Cap should be removed to allow families in poverty to receive the social security benefits to which they are entitled; • The Spare Room Subsidy (the “Bedroom Tax”) should be ended to ensure that families with children are not left facing 	<p>take all necessary steps, through material assistance and support programmes, to help mitigate the negative effect on children most in need of support</p> <ul style="list-style-type: none"> • Allocate the maximum extent of available resources to eliminate child poverty, with an emphasis on early intervention and prevention, and take all possible steps to increase transparency of public expenditure on child poverty reduction • Ensure actions, strategies and legislation to reduce child poverty are embedded in a child right’s approach and child poverty proofed. • Achieve better join-up of programmes and initiatives on child poverty to form a coherent programme, matched by a clear set of robust indicators to help progress to be tracked and which are subject to coherent 	
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		<p>production and implementation of child poverty reduction strategies in devolved administrations;</p> <p>(c) Conduct a comprehensive assessment of the cumulative impact of the full range of social security and tax credit reforms introduced between 2010 and 2016 on children, including children with disabilities and children belonging to ethnic minority groups;</p> <p>(d) Where necessary, revise the mentioned reforms in order to fully respect the right of the child to have his or her best interests taken as a primary consideration, taking into account the different impact of the reform on different groups of children, particularly those in vulnerable situations;</p> <p>(e) Strictly implement the legal prohibition of prolonged placement of children in temporary accommodation by public authorities in England, Wales and Scotland, and enact similar legislation in Northern Ireland;</p> <p>(f) Take necessary measures to reduce homelessness and to progressively guarantee all children stable access to adequate housing which provides physical safety, adequate space, protection against the threats to health and structural hazards, including cold, damp, heat and pollution, and accessibility for children with disabilities.</p>	<p>Housing Benefit shortfalls that are likely to result in rent arrears and eviction;</p> <ul style="list-style-type: none"> • Universal Credit should be reformed to ensure that Free School Meals are available to all children whose families are on it, support with childcare costs are made up front (rather than reimbursed) and access is made available offline (<i>echoes Children's Commissioners</i>). <p><u>Homelessness</u> The UK State Party and devolved governments should legislate to end the use of inappropriate bed and breakfast accommodation for homeless families (<i>echoes Children's Commissioners</i>). Action should be taken against those that continue to house families with children in bed and breakfast accommodation beyond the six week legal limit. The use of bed and breakfast accommodation for 16 and 17 year-olds, alongside a strengthened requirement for local authorities to commission sufficient alternative emergency facilities, should be adopted into law. Any temporary accommodation used for families must be child friendly, clean and safe.</p> <p><u>Free School meals</u> The UK and devolved governments should legislate to extend free school meals to all children living in poverty, including those from low income working families.</p>	<p>monitoring and evaluation arrangements.</p> <ul style="list-style-type: none"> • Ensure that Statutory Obligations under Part 1 of the Children and Families (Wales) Measure are met at a local level under the current Single integrated Plan arrangements, and future arrangements as they are being developed • While recognising that employment is a key a route out of poverty, develop actions to address in-work poverty and promote activities to support engagement in work such as addressing sufficiency levels in childcare provision and promote a living wage • Ensure that local authorities' accommodation assessments, planning and consultation processes for new sites in Wales take account of children's views, experiences 	
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				and pay due regard to their rights under the Convention	
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H EDUCATION, LEISURE AND CULTURAL ACTIVITIES (ARTICLES 28, 29, 30 AND 31)					
CO No	CO Sub Headings	Concluding Observations (applicable to Wales)	GB NGO Recommendation pre-hearing (May 2016)	Wales Recommendation (June 2015)	To UK* or Welsh Gov
71-72	Education, including vocational training and guidance	<p>(71) The Committee welcomes the gradual closing of inequality gaps in education attainment and the decreasing use of exclusion from school. However, the Committee is concerned that:</p> <p>(a) Substantial inequalities persist in educational attainment, particularly for boys, children living in poverty, Roma, gypsy and traveller children, children with disabilities, children in care and newcomer children;</p> <p>(b) Among children subject to permanent or temporary school exclusions, there is a disproportionate number of boys, Roma, gypsy and traveller children, children of Caribbean descent, children living in poverty and children with disabilities and (except Scotland) only children with disabilities have the right to appeal against their exclusion;</p>	<p>The UK State Party and devolved governments should intensify efforts to reduce the effects of the social background of children on their achievement at school, focusing on the early years, on parents' engagement and improving the home learning environment (<i>echoes Children's Commissioners</i>). In particular, the UK State Party and devolved governments should ensure that:</p> <ul style="list-style-type: none"> • The entitlement to early education is taken up among under-represented or disadvantaged groups; • The professionalism of early years' education is increased by, for example, requiring that each setting must have at least one member of staff who is a graduate; • Data collection, research and evaluation is improved to enable schools and local authorities to draw on to inform their approaches to tackle the attainment gap and inform professional development. This should include national mapping and scrutiny 	<ul style="list-style-type: none"> • Use its consultation on improving the outcomes for looked after children to achieve significant improvements for this group • Continue its work to develop best provision for children in EOTAS and take on board concerns expressed regarding standards in PRUs • Continue its work with local authorities and schools to ensure effective implementation of existing policies on 	YES (WG)

		<p>(c) Children with disabilities, in particular children with psychosocial disabilities and other “special educational needs”, are often subject to the practice of “informal” exclusion or “taught off-site” to control their behaviour;</p> <p>(d) Isolation rooms are used for disciplining children;</p> <p>(f) Many children living in poverty, particularly boys, do not meet the expected level of language development at the preschool level, which has a negative impact on their primary education, hindering their development throughout their life.</p> <p>72. The Committee recommends that the State party:</p> <p>(a) Enhance its efforts to reduce the effects of the social background or disabilities of children on their achievement in school and to guarantee the right of all children to a truly inclusive education in all parts of the State party, including for newcomer children without experiences of formal education. In this regard, closely monitor and if necessary, regulate the establishment and management of academies and free schools in England, and abolish the practice of unregulated admission tests to post-primary education in Northern Ireland;</p> <p>(b) Use the disciplinary measure of permanent or temporary exclusion as a means of last resort only, forbid and abolish the practice of “informal” exclusions, and further reduce the number of exclusions by working closely with social workers and educational</p>	<p>of specific services including speech and language therapy, classroom assistants and educational psychologists;</p> <ul style="list-style-type: none"> • The views and experiences of children are used by government officials, school leaders, teachers and other key stakeholders to inform and identify the practical support needed by the children they work with <p>The UK State Party and devolved governments should ensure that all children have access to independent face-to-face careers and employment advice both in schools and in the community. The Welsh Government should ensure 24-hour access to student finance helplines.</p> <p>Exclusions The UK State Party and devolved governments should ensure that:</p> <ul style="list-style-type: none"> • The number of exclusions is reduced; • Permanent or temporary exclusion from school is only used as a last resort; • The over-representation of particular groups of children, who are currently more likely to be affected by exclusion, is addressed; • The quality of alternative provision is monitored and improved; <p>Children have a separate statutory right to appeal against school admission and exclusions with legal advice, assistance and representation provided for those without means. This should include the right to appeal to special educational needs tribunals (<i>echoes Children’s Commissioners</i>).</p> <p>Religious education The UK and devolved governments should ensure that all children have the right to access a broad religious</p>	<p>participation and on bullying</p> <ul style="list-style-type: none"> • Monitor the impact of the loss of the Gypsy and Traveller specific grant and its impact on the rights to education for Gypsy, Roma and Traveller pupils; Welsh Government should consult with children and their families as part of this monitoring framework and in the development of the outcomes framework set out how local authorities direct and safeguard resources for the benefit of Gypsy, Roma and Traveller pupils 	
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		<p>psychologists in school and using mediation and restorative justice;</p> <p>(c) Ensure that children have the right to appeal against their exclusion, and are provided with legal advice, assistance and, where appropriate, representation for those without means;</p> <p>(d) Abolish the use of isolation rooms;</p> <p>(f) Taking note of Sustainable Development Goal 4, Target 4.2 on access to quality early childhood development services, allocate sufficient human, technical and financial resources for the development and expansion of early childhood care and education, based on a comprehensive and holistic policy of early childhood development, with special attention to the children in the most vulnerable situations.</p> <p>(g) Make children's rights education mandatory.</p>	<p>studies curriculum, including a non-religious world-view. The degree to which state schools can religiously select should be gradually reduced.</p> <p><u>G/T pupils</u> The UK State Party and devolved governments should develop an outcomes framework which sets out how local authorities direct and safeguard resources for the benefit of Gypsy, Roma and Traveller pupils. Working with Gypsy, Roma and Traveller children and their families, the Welsh Government should monitor the impact of the loss of the Gypsy and Traveller specific grant and its impact on the rights to education for Gypsy, Roma and Traveller pupils.</p> <p><u>Mainstream schools</u> Mainstream schools must be more inclusive of the needs of disabled children and those with SEN/ASL, both in the structure of the school day and the way in which staff treat these groups of children.</p>		
73-74	Rest, leisure, recreation and cultural & artistic activities	<p>(73) The Committee welcomes the initiative of the government of Wales to adopt a play policy and integrate children's right to play systematically in relevant legislation and other relevant policies. However, the Committee is concerned about:</p> <p>(a) The withdrawal of a play and leisure policy in England, and underfunding of play and leisure policies in Northern Ireland, Scotland and Wales;</p> <p>(b) Insufficient places and facilities for play and leisure for children, in particular those accessible for children with disabilities and</p>	<p>The UK State Party and devolved governments should coordinate and implement efforts to further Article 31 in a consistent and integrated way with adequate resources and regular monitoring, in accordance with General Comment 17. Resources should be focussed on ensuring vulnerable groups, including disabled children, children living on traveller sites, and children living in more deprived areas have access to safe and inclusive play, leisure and cultural activities (<i>echoes Children's Commissioners</i>).</p> <p>Governments should listen to the recommendations of children in Wales and act to ban smoking around</p>	<ul style="list-style-type: none"> Identify a mechanism to ensure that any additional money allocated to local authorities for children's play is distributed in a timely and considered fashion which enables a strategic response to an identified need (through the play sufficiency 	YES (WG)

		<p>children in marginalized and disadvantaged situations, and public space for adolescents to socialize</p> <p>74. With reference to its general comment No 17 (2013) on the right of the child to rest, leisure, play, recreational activities, cultural life and the arts, the Committee recommends that the State party, including the governments of devolved administrations:</p> <p>(a) Strengthen its efforts to guarantee the right of the child to rest and leisure and to engage in play and recreational activities appropriate to the age of the child, including by adopting and implementing play and leisure policies with sufficient and sustainable resources;</p> <p>(b) Provide children, including those with disabilities and children in marginalized and disadvantaged situations, with safe, accessible, inclusive and smoking-free spaces for play and socialization and public transport to access such spaces;</p> <p>(c) Fully involve children in planning, designing and monitoring the implementation of play policies and activities relevant to play and leisure, at community, local and national levels.</p>	<p>playgrounds in public parks and to eliminate dog fouling in public spaces where children play.</p> <p>In England, policy and strategy for children's play and recreation should be reinstated as a ministerial responsibility. In England and Scotland, sufficient provision for play should be made a statutory duty for local authorities. In Wales, where a statutory play sufficiency duty is in place, the Welsh Government should identify a mechanism to ensure strategic rather than <i>ad hoc</i> use of funding, continuing to use expert NGO support, and effective evaluation of implementation. Welsh Government should investigate and re-assess the basis of decisions to sell off school grounds, ensuring due weight is given to the rights and views of children.</p>	<p>assessments) rather than a rushed one</p> <ul style="list-style-type: none"> • Support continued research, in particular, research on how local authorities implement approaches to securing sufficient play opportunities • Consider the negative effects of selling school grounds and the reported lack of consultation, in relation to decreasing children's opportunities for active play and consequent negative effects on children's health • Contribute to the long term sustainability of NGO's, such as Play Wales, in order that it may make best use of external expertise when developing policies or programmes intended to support or promote children's play 	
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I SPECIAL PROTECTION MEASURES (ARTICLES. 22, 30, 32-33, 35-36, 37 (B)-(D), 38, 39 AND 40)					
CO No	CO Sub Heading	Concluding Observation (applicable to Wales)	GB NGO Recommendation pre-hearing (May 2016)	Wales Recommendation (June 2015)	To UK* or WG
75-76	Asylum seeking, refugee and migrant children	<p>(75) The Committee welcomes the decision made by the State party in December 2010 to end the detention of children for immigration purposes. Nevertheless, the Committee is concerned that:</p> <p>(a) Reliable data on asylum-seeking children, including those whose age is disputed, remain unavailable;</p> <p>(b) Not all unaccompanied children have access to an independent guardian or legal advice in the course of immigration and asylum procedures;</p> <p>(c) Under the “Assessing Age” asylum instruction of the Home Office, children can be assessed as adults based on their physical appearance;</p> <p>(d) Children can be detained in the course of asylum processes, including in short-term holding facilities upon entry into the State party, and age-disputed children seeking asylum can be detained in adult facilities;</p> <p>(e) Unaccompanied and separated refugee children within and outside of the State party face restrictions on family reunification;</p>	<p>Legal Status The UK State Party should ensure that children are granted appropriate forms of leave to resolve their long-term legal status and enable a durable solution to be found that is in the child’s best interests. UASC leave does not in itself constitute a durable solution. Decisions about the form of leave to be granted should be taken on a case-by-case basis, and be informed by the best interests of the child.</p> <p>Destitution Local authority immigration social work teams should be requested to report on the number and situation of the destitute children and families they support so the numbers of such children can be determined.</p> <p>Support The UK State Party and devolved governments should ensure that migrant, refugee and asylum-seeking children have access to basic services such as education and health, and that there is no discrimination in benefit entitlements for these families that could affect children or be contrary to their rights under Articles 2, 22, 26 or 27 of the Convention (<i>echoes Children’s Commissioners</i>). No child or pregnant woman should be denied free health services because of immigration status.</p> <p>Detention The UK State Party should end the detention of asylum seeking and migrant children and ensure that alternative enforcement measures do not harm children’s health and welfare.</p>	<ul style="list-style-type: none"> • Ensure all staff within statutory services receive training on unaccompanied asylum seeking children and on human trafficking. • Promote legislation that will allow the Children’s Commissioner for Wales to exercise functions with respect to children in Wales, regardless of the subject matter. • Ensure that in Wales, unaccompanied asylum seeking children, including those who are age-disputed, can be housed in suitable accommodation • Collect and publish data on asylum 	YES (WG/UK)

		<p>(f) Asylum-seeking, refugee and migrant children and their families face difficulty in gaining access to basic services, such as education and health care, and are at high risk of destitution;</p> <p>(g) The Immigration Act (2016) removed the entitlement of unaccompanied children in care with an irregular or unresolved immigration status to leaving care support and adopted the “deport first, appeal later” scheme, which allows migrants to appeal against the refusal of their stay only from outside of the United Kingdom, including in cases where such deportation might undermine family unity for migrant children;</p> <p>(h) Children are returned to the country of origin or habitual residence without adequate safeguards.</p> <p>76. With reference to its general comment No. 6 (2005) on treatment of unaccompanied and separated children outside their country of origin, the Committee recommends that the State party:</p> <p>(a) Systematically collect and publish disaggregated data on the number of children seeking asylum, including those whose age is disputed;</p> <p>(b) Establish statutory independent guardians for all</p>	<p><u>Guardianship</u> The UK State Party and devolved governments should put in place a consistent system of legal, independent guardianship for all unaccompanied and separated migrant children across the UK (<i>echoes Children’s Commissioners</i>).</p> <p><u>Best Interest</u> The UK State Party should:</p> <ul style="list-style-type: none"> • Ensure that immigration law, policy and practice reflects the UK’s obligations under the Convention. The Home Office should ensure that the best interests principle is a primary consideration in every action concerning children; • Strengthen procedural safeguards for determining a child’s best interests, including by ensuring that best interests assessments are undertaken proactively at every relevant stage of the asylum procedure, incorporating relevant information from the child, social workers, foster carers and other professionals; • Establish a multi-agency Best Interests Determination to find a durable solution as early as possible for children subject to immigration control. <p><u>Age Assessment</u> A specialist, multi-agency holistic approach to age assessments should be developed, which ensures participation from a range of professionals such as doctors, teachers, foster carers and children’s advocates. When undertaking age assessments, intrusive medical procedures should not be used like x-rays or dental assessments. The principle of the benefit of the doubt should be applied (<i>echoes Children’s Commissioners</i>). Data should be collected on numbers and outcomes of age assessments. Age assessment and special training on</p>	<p>seeking children in Wales including data on age assessment, qualitative data and case studies.</p> <ul style="list-style-type: none"> • Promote the principle of benefit of the doubt in age assessment processes, respect for the rights of the child and use of competent multi-disciplinary panels to determine age where this is subject to an on-going dispute • Encourage the Care Council for Wales to promote the inclusion of age assessment and safeguarding of unaccompanied and trafficked children into the social work curriculum at pre and post qualifying levels. 	
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		<p>unaccompanied and separated children throughout the State Party;</p> <p>(c) Conduct age assessments only in cases of serious doubt through multidisciplinary and transparent procedures taking into account all aspects, including the psychological and environmental aspects of the person under assessment;</p> <p>(d) Cease the detention of asylum-seeking and migrant children;</p> <p>(e) Review its asylum policy in order to facilitate family reunion for unaccompanied and separated refugee children within and outside of the State party, including through implementation of the EU Dublin III regulation;</p> <p>(f) Provide sufficient support to migrant, refugee and asylum-seeking children to access basic services;</p> <p>(g) Review the Immigration Act (2016) in order to ensure its compatibility with the Convention;</p> <p>(h) Ensure that when the return of children occurs, this happens with adequate safeguards, including a formal best interests determination, effective family tracing that includes individual risk and security assessments, and appropriate reception and care arrangements.</p>	<p>protection of unaccompanied and trafficked children should be compulsory in initial social work training curricula.</p> <p>Legal Advice All separated asylum seeking and trafficked children should have access to specialist legal representation. In Scotland and Wales, the Children's Commissioners should be able to offer advice and support notwithstanding the issue is non-devolved.</p> <p>Returns A separated child should only be returned to their country of origin on a voluntary basis to family, not to institutionalised care, following a formal Best Interests Determination process. Where a parent with a child in the UK is appealing their deportation, and Section 17 (3) of the Immigration Act 2014 applies, the appeal should be brought from within the UK if this is in the best interests of the child (<i>echoes Children's Commissioners</i>).</p> <p>Refugee Crisis The UK Government should ensure that the policies and practices are in place to enable children separated from their families to more easily reunite with immediate and extended family members in the UK. Measures should include:</p> <ul style="list-style-type: none"> Continued action to ensure the provisions of the EU Dublin III Regulation that govern the transfer of unaccompanied children's cases within Europe function effectively and procedures are child-sensitive (<i>echoes Children's Commissioners</i>); Make UK family reunion rules (Part 11 of the Rules) less restrictive in practice to allow for children, who are currently at risk in their regions of origin or in Europe, to join extended family members such as grandparents and adult siblings in the UK, and widen the eligibility criteria of existing family reunion rules to enable 		
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			<p>extended family members to sponsor children in their family to come to the UK;</p> <ul style="list-style-type: none"> • Give unaccompanied or separated children who have been granted refugee status or humanitarian protection in the UK the right to sponsor their parent or main carer to reunite with them. <p>The UK should ensure that it is able to take its share of refugee children already in Europe whose welfare and safety is at risk by giving local authorities sufficient resources to support the welfare and protection needs of these children.</p> <p>Citizenship The UK State Party should ensure that the citizenship application process should be more child-friendly and decisions should clearly demonstrate that the best interests of the child-applicant have been a primary consideration; fees for registration applications should be reduced to a minimum cost level and waived for children unable to afford them; and the UK Government should radically revise its current position on 'good character' of child-applicants so that any child otherwise entitled to citizenship whose best interests lie in continued residence in the UK is not precluded from citizenship. At the very least, specific consideration should be given to children's welfare before exclusion under the 'good character' test.</p>		
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77-78	Administration of juvenile justice	<p>(77) The Committee is concerned that:</p> <p>(a) The minimum age of criminal responsibility remains 8 years in Scotland and Turks and Caicos Islands and 10 years for the rest of the State party;</p> <p>(b) Some children are tried in adult courts;</p> <p>(c) Life imprisonment of children, in the form of “detention at Her Majesty’s pleasure” in England and Wales, “detention during the pleasure of the Secretary of State” in Northern Ireland and “detention without limit of time” in Scotland, is mandatory for murder committed while the offender was under the age of 18;</p> <p>(d) The number of children in custody remains high, with disproportionate representation of ethnic minority children, children in care and children with psychosocial disabilities, and detention is not always applied as a measure of last resort;</p> <p>(e) There are occasions where children are held in the same places of deprivation of liberty for adults;</p> <p>(f) Access to education and health services, including mental health services, is insufficient for children in custody;</p> <p>(g) Segregation, including solitary confinement, is sometimes used for children in custody, including in young offenders’ institutions.</p>	<p>The UK State Party and devolved governments should, as a matter of urgency, implement the Committee’s 2008 recommendation that it ‘raise the minimum age of criminal responsibility in accordance with the Committee’s General Comment No. 10 and notably its paragraphs 32 and 33’ (<i>echoes Children’s Commissioners</i>).</p> <p>The UK and devolved governments should ensure that children’s interaction with the police meet the standards in the Convention by in particular:</p> <ul style="list-style-type: none"> • Implementing child and young people-led training to help police officers work more positively with children and young people and to communicate effectively and sensitively with them; • Requiring Police and Crime Commissioners in England and Wales, and the Chief Constable in Scotland, to oversee compliance with the Convention by their police forces; • Ensuring overnight police detention is only be used as a last resort, and there should be sufficient local authority accommodation to ensure that no child spends the night in police cells; • Making sure that children are not subject to strip searching unless absolutely necessary, and then only in the presence of an appropriate adult. <p>In England and Wales, custody officers should be sufficiently well trained in the legal obligations under the Police and Criminal Evidence Act 1984.</p> <p><u>Legal Representation</u> The UK State Party and devolved governments should ensure that legal representatives representing children in the police station and in all other criminal proceedings are specialists, receive mandatory training and are accredited.</p>	<ul style="list-style-type: none"> • Take action to influence UK Government to comply with the recommendations of the Committee on the Rights of the Child, including raising the minimum age of criminal responsibility and to adhere to the recommendations on ASBOs put forward by the Standing Committee for Youth Justice 2015. • Ensure that services to support emotional and mental well-being, including mental health services are available to every child in Wales who is involved in the criminal justice system • Take action to ensure that local authorities and mental health services are able to and do fulfil their duties with regard to under-18’s 	YES (UK)
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		<p>78. With reference to its general comment No. 10 (2007) on children's rights in juvenile justice, the Committee recommends the State party to bring its juvenile justice system, including in all devolved administrations, the Overseas Territories and the Crown Dependencies, fully into line with the Convention and other relevant standards. In particular, the Committee recommends that the State party:</p> <p>(a) Raise the minimum age of criminal responsibility in accordance with acceptable international standards;</p> <p>(b) Ensure that children in conflict with the law are always dealt with within the juvenile justice system up to the age of 18, and that diversion measures do not appear in children's criminal records;</p> <p>(c) Abolish the mandatory imposition of life imprisonment for children for offences committed while they are under the age of 18;</p> <p>(d) Establish the statutory principle that detention should be used as a measure of last resort and for the shortest possible period of time and ensure that detention is not used discriminatorily against certain groups of children;</p> <p>(e) Ensure that child detainees are separated from adults in all detention settings;</p>	<p>Courts The UK State Party and devolved governments should ensure that steps are taken to ensure that children do not have to undertake expensive journeys to court when nearer options are available. If children do have to travel outside of their local area for court hearings, financial and practical support must be available to help them attend.</p> <p>Life sentences The UK State Party and devolved governments should abolish life sentences for children, and in the meantime abolish mandatory life sentences for children (<i>echoes Children's Commissioners</i>); and ensure that data is recorded and collated on how many people are serving life sentences for an offence committed as a child.</p> <p>Detention The UK State Party and devolved governments should legislate as a matter of priority to ensure the commitment to deprive children of their liberty as a last resort should be embedded in legislation (<i>echoes Children's Commissioners</i>). Prisons-like detention should be abolished and where children do need to be detained, they should be placed in appropriate, care-based homes. The status of 'looked after' child should be extended to all children deprived of their liberty.</p> <p>Solitary Confinement No child should be subject to solitary confinement under any circumstances. The use of solitary confinement and isolation should be routinely monitored by relevant inspectorates (<i>echoes Children's Commissioners</i>).</p> <p>MH services There should be more investment in mental health services to divert vulnerable groups away from the criminal justice system. For children in the criminal justice system, services should be available to promote their emotional and mental well-being.</p>	<p>detained in police custody</p> <ul style="list-style-type: none"> Take action to influence the Police and Crime Commissioners in Wales to act in a manner consistent with policy on children and young people in Wales and in compliance with the Convention 	
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		(f) Immediately remove all children from solitary confinement, prohibit the use of solitary confinement in all circumstances, and regularly inspect the use of segregation and isolation in child detention facilities.	Transitions Steps should be taken to make transitions between the criminal justice system and daily life easier. This should include providing support services for children who have been arrested to help them re-enter education and employment. Local authorities must fulfil their statutory duties to under-18s held in penal detention or on remand.		
79-80	Child victims and witnesses of crimes	(79) The Committee is seriously concerned that children who are victims or witnesses of crimes have to appear in court to be cross examined. 80. The Committee recommends that the State party introduce, as a standard, video-recording of the interview with a child victim or witness during investigation and allow the video-recorded interview as evidence in court.	-	-	YES (UK)
81-82	Optional Protocol on the sale of children, child prostitution and child pornography	(81) The Committee welcomes the ratification of the Council of Europe Convention on Action against Trafficking in Human Beings, and new legislation in this area, including the Modern Slavery Act (2015), the Human Trafficking and Exploitation Act (Northern Ireland) (2015), the Human Trafficking and Exploitation Act (Scotland) (2015), and the introduction of an independent	The UK State Party and devolved governments should: <ul style="list-style-type: none"> • Introduce a reformed National Referral Mechanism for identifying trafficked and exploited children which is embedded in existing child protection procedures. It should be a multi-agency model requiring mandatory, accredited and specialist training for all social workers, police and front line professionals and rights of appeal to children; • Legislate to introduce a non-prosecution provision in statute to prevent child victims of 	-	YES (WG/UK)

		<p>statutory guardian for all unaccompanied children in Northern Ireland and Scotland, and for all potential child victims of trafficking in England and Wales. The Committee also notes the commitment of the United Kingdom in the fight against all forms of violence against children, including sexual abuse, exploitation and trafficking of children. Nevertheless, the Committee remains concerned that:</p> <p>(a) No measures have been taken to ensure that all children up to 18 years of age are protected from all types of offences covered by the Optional Protocol and to ensure that domestic legislation throughout the State party, including at the devolved level, enables it to establish and exercise extraterritorial jurisdiction, without the dual criminality criterion, over all offences covered by the Optional Protocol;</p> <p>(b) The system for identification and referral of victims of the offences covered by the Optional Protocol and children who are at risk of being victims of such offences is weak;</p> <p>(c) Child victims of trafficking can still be prosecuted for the crimes that they are forced to commit in the context of trafficking, and the right to a statutory guardian for child victims of trafficking has not been fully operationalized in the State party;</p> <p>(d) While the acts adopted in 2015 provide further protection to children</p>	<p>trafficking from being prosecuted for crimes directly connected to their trafficking situation;</p> <ul style="list-style-type: none"> • Make available safe accommodation, including specialist foster care for child victims of trafficking based on a detailed assessment of their welfare and protection needs, which should be guaranteed until the age of 21; • Ensure a durable solution for children who have been trafficked to the UK be sought at the earliest opportunity following a formal Best Interests Determination process. 		
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		<p>up to 18 years of age from offences covered by the Optional Protocol, the Sexual Offences Act (2003) in England and Wales and the Sexual Offences (Northern Ireland) Order (2008) have not been revised to provide full and equal protection to all children under 18 years of age.</p> <p>82. The Committee recommends that the State party fully implement the Committee's recommendations on the initial report of the State party (CRC/C/OPSC/GBR/CO/1), provided in its concluding observations on the Optional Protocol on the sale of children, child prostitution and child pornography in particular that the State party:</p> <p>(a) Ensure that all children up to 18 years of age are protected from all types of offence covered by the Optional Protocol and that domestic legislation throughout the State party, including in its devolved administrations, enables it to establish and exercise extraterritorial jurisdiction, without the dual criminality criterion, over all the offences covered by the Optional Protocol;</p> <p>(b) Strengthen the National Referral Mechanism for identifying trafficked and exploited children which is embedded in existing child protection procedures;</p> <p>(c) Establish mechanisms and procedures to protect the rights of child</p>			
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		<p>victims of offences covered by the Optional Protocol, including establishing a clear obligation of non-prosecution, and ensure that they are treated as victims rather than criminals by the law enforcement and judicial authorities;</p> <p>(d) Operationalize the provision of a competent and statutory guardian during the criminal justice process;</p> <p>(e) Revise its legislation to ensure that all children up to 18 years of age are protected from all types of offence covered by the Optional Protocol.</p>			
83-86	Optional Protocol on children in armed conflict	<p>(83) The Committee remains concerned that:</p> <p>(a) The State party maintains the wide scope of its interpretative declaration on article 1 of the Optional Protocol, which may permit the deployment of children to areas of hostilities and their involvement in hostilities under certain circumstances;</p> <p>(b) The minimum age for voluntary recruitment as 16 years has not been changed and child recruits makes up 20 per cent of the recent annual intake of United Kingdom Regular Armed Forces;</p> <p>(c) The Army Board endorsed increasing the recruitment of personnel under 18 years old to avoid undermanning, and children who come from vulnerable groups</p>	<p>The UK State Party should raise the minimum age for recruitment into the armed forces to 18 years (<i>echoes Children's Commissioners</i>); and in the interim, strengthen its safeguards in order to meet the standards required by Article 3 of the Optional Protocol on the involvement of children in armed conflict (OPAC), ensuring that, as a minimum:</p> <ul style="list-style-type: none"> • Briefing materials for potential child recruits and their parents/guardians explain the risks and legal obligations of enlistment in full; • Recruiters are obliged to make direct personal contact with parents at the outset of the recruitment process and that parents remain fully involved throughout the process; • Parents are entitled to withdraw consent to enlistment until a child recruit is 18 years of age; • The minimum standard of literacy required for enlistment is raised to ensure that recruits are able to comprehend their enlistment papers in full; 	-	YES (UK)

		<p>are disproportionately represented among recruits;</p> <p>(d) Safeguards for voluntary recruitment are insufficient, particularly in the light of the very low literacy level of the majority of under-18 recruits and the fact that briefing materials provided to child applicants and their parents or guardians do not clearly inform them of the risks and obligations that follow their enlistment;</p> <p>(e) In the army, child recruits can be required to serve a minimum period of service up to two years longer than the minimum period for adult recruits.</p> <p>84. The Committee recommends that the State party:</p> <p>(a) Consider reviewing its position and raise the minimum age for recruitment into the armed forces to 18 years in order to promote the protection of children through an overall higher legal standard;</p> <p>(b) Reconsider its active policy of recruitment of children into the armed forces and ensure that recruitment practices do not actively target persons under the age of 18 and ensure that military recruiters' access to school be strictly limited;</p> <p>(c) In recruiting persons under the age of 18, strengthen its safeguards required by Article 3 of the</p>	<ul style="list-style-type: none"> • The minimum period of service applied to children at enlistment into the army is not longer than that applied to adult recruits. 		
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		<p>Optional Protocol, in order to ensure that the recruitment is genuinely voluntary, and based on fully informed consent of the recruit as well as their parents and legal guardians, and ensure that recruitment does not have discriminatory impact on children of ethnic minorities and low-income families;</p> <p>(d) Ensure that the minimum period of service applied to children when enlist into the army is no longer than that applied to adult recruits.</p> <p>(85) The Committee notes with concern that, according to the Joint Doctrine Publication 1-10 for Captured Persons (second edition, October 2011), only children under the age of 15 years benefit from special protection</p> <p>86. The Committee recommends that the State party implement its previous recommendation on the Optional Protocol on captured child soldiers (CRC/C/OPAC/GBR/CO/1, paragraph 29) for all children under 18 years old.</p>			
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J Ratification of the Optional Protocol on a communications procedure					
CO No	CO Sub Heading	Concluding Observation (applicable to Wales)	GB NGO Recommendation pre-hearing (May 2016)	Wales Recommendation (June 2015)	To UK* or Welsh Gov
87		The Committee recommends that the State party, in order to further strengthen the fulfilment of children's rights, ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure.	<i>(from GMI section)</i> The UK State Party should sign and ratify the Third Optional Protocol to the Convention on a Communications Procedure <i>(echoes Children's Commissioners)</i> .	-	YES (UK)

K Ratification of international human rights instruments					
CO No	CO Sub Heading	Concluding Observations (applicable to Wales)	GB NGO Recommendation pre-hearing (May 2016)	Wales Recommendation (June 2015)	To UK* or Welsh Gov
88		The Committee recommends that the State party, in order to further strengthen the fulfilment of children's rights, ratify the core human rights instruments to which it is not yet a party, namely, the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, the International Convention for the	<i>(taken from GMI section)</i> The UK State Party.... work towards the incorporation of other Conventions, such as the UNCRPD, CEDAW and ICESCR, given their impact on children and young people <i>(echoes Children's Commissioners)</i> .	-	YES (UK)

		Protection of All Persons from Enforced Disappearance, the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, and the Optional Protocol to the International Covenant on Civil and Political Rights			
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L Cooperation with regional bodies					
CO No	CO Sub Heading	Concluding Observation (applicable to Wales)	GB NGO Recommendation pre-hearing (May 2016)	Wales Recommendation (June 2015)	To UK* or Welsh Government
89		The Committee recommends that the State party cooperate with the Council of Europe on the implementation of the Convention and other human rights instruments, both in the State party and in other Council of Europe member States.	-	-	YES (UK)

*Concluding Observation recommendation is applicable for the UK Government but has significant implications for Wales

Follow-up and dissemination

The Committee recommends that the State party take all appropriate measures to ensure that the recommendations contained in the present concluding observations are fully implemented. The Committee also recommends that the [combined/number periodic report(s)], the written replies to the list of issues of the State party and the present concluding observations be made widely available in the languages of the country.

Appendix 1 Gap Analysis - Combined Report of the Recommendations for Wales

A	GENERAL MEASURES OF IMPLEMENTATION	
	Concluding Observations <u>not included</u> in the UNCRC Monitoring Group Report	
18	<p>Children’s Rights & the Business Sector</p> <p>With reference to its General Comment No. 16 (2013) on State obligations regarding the impact of business on children’s rights, the Committee recommends that the State party:</p> <p>(a) Integrate an explicit focus on children’s rights, including the requirement for businesses to undertake child-rights due diligence, in the revised version of its first National Action Plan on Business and Human Rights;</p> <p>(b) Establish and implement regulations to ensure that the business sector, including in the context of public procurement, complies with the rights of the child.</p> <p>The GB Civil Society Report to the UN Committee called for - The UK State Party and devolved governments must ensure that all business enterprises are adequately regulated within a clear legal and institutional framework, enabling them to respect children’s rights across their global operations by conducting human rights due diligence that considers the specific impacts of their operations on children. This should include a requirement on all businesses that are awarded large public sector contracts to undertake and report on their human rights due diligence, with particular attention to children.</p>	Page 8
	UNCRC Monitoring Group Report / GB Report Recommendations <u>not included</u> in the Concluding Observations	
	<p><u>Devolution</u></p> <p>The UK State Party, in cooperation with the devolved governments, should conduct a UK-wide examination of the impact of devolution on the protection and promotion of human rights. The UK State Party and devolved governments should put in place a formal mechanism that ensures the devolved nations are routinely and comprehensively involved in Convention reporting. This should be established with the involvement of governments, national human rights institutions and civil society and should ensure clear representation of distinct Scottish and Welsh issues within the UK Periodic Report (<i>echoes Children’s Commissioners</i>). (GB Report)</p>	

Human Rights Act

There should be no diminution of children's rights protection in law. Any changes to human rights legislation in the UK must be underpinned by the following principles:

- All the protections in the Human Rights Act must be retained;
- Any new British Bill of Rights should build upon, rather than reduce, the protection of the fundamental rights of all children in the jurisdiction without discrimination. It should also provide effective judicial remedies including through the European Court of Human Rights;
- The UK State Party should ensure that any new proposals are developed through a consultative and democratic process in which children's Article 12 rights are fully respected and the devolved nations are fully involved (*echoes Children's Commissioners*). **(GB Report)**

Dissemination, training and awareness raising

The UK State Party and devolved governments should prepare a comprehensive strategy that encompasses and coordinates activities to ensure that all of the provisions of the Convention are widely known and understood by adults and children, across government, local authorities, public bodies, businesses and at a local community level. This should include steps to ensure:

▫ All professionals working with and for children, including those in the justice system, social services and health-care settings, receive statutory, pre and ongoing post qualifying training;

All types of schools teach children about the Convention. This should include education on issues around traveller communities, living in care, disabilities, transgender and Special Educational Needs/Additional Support for Learning (SEN/ADSL) to help reduce discrimination as well as how children can use their rights in practical, day-to-day situations;

▫ Age-inclusive, consultative and child-led methods of dissemination are encouraged;

▫ All professional training covers the effective participative engagement with vulnerable and marginalised children and children are actively involved in its delivery;

▫ All training includes full appreciation of the nature of the best interests requirement in Article 3 and General Comment No. 14. **(GB Report)**

Develop, through discussion with statutory and nongovernmental stakeholders, a comprehensive strategy for raising awareness and understanding of the Convention throughout Wales **(UNCRC Report)**

Cooperation with civil society

The UK State Party and devolved governments should put in place and adequately resource mechanisms to engage the NGO community and civil society groups. This should inform planning and policy making and enable children and young people to work effectively and systematically with government to monitor the implementation of the Convention. When children and young people are invited to participate, they should be given clear feedback about who listened and what influence their contribution made. **(GB Report)**

- Continue to engage and increase engagement wherever possible with the NGO community and civil society groups to inform planning, policy making and implementation work.

	<ul style="list-style-type: none"> • Ensure that when Welsh Government invites children and young people to participate, the children and young people have clear feedback about who listened and what influence their contribution made. (UNCRC Report) 	
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C	GENERAL PRINCIPLES	
	Concluding Observations <u>not included</u> in the UNCRC Monitoring Group Report	
27-28	<p>Right to Life, Survival and Development (27) The Committee is concerned that: (a) Research indicates that the infant and child mortality in the State party, including suicide, is linked with the level of social and economic deprivation; (b) Mechanisms for reviews of any unexpected death or serious injury involving children have not been established or operationalized in most parts of the State party.</p> <p>29. The Committee recommends that the State party: (a) Address underlying determinants of infant and child mortality, including social and economic deprivation and inequality; (b) Introduce automatic, independent and public reviews of unexpected death or serious injury involving children, including in custody, care and mental health care institutions in all the territory of the State party</p> <p>The GB Civil Society Report to the UN Committee called for The UK State Party and devolved governments should:</p> <ul style="list-style-type: none"> • Ensure there is an independent and public inquiry into the unexpected death of any child who is looked after or detained in a residential setting, including in custody or a mental health setting (<i>echoes Children's Commissioners</i>); • Address the most common causes of mortality in children and undertake measures to reduce them; • Publish comprehensive data on all child deaths in all institutional settings spanning education, health, care, custody, mental health settings and the military on an annual basis. Disaggregated data should be collected and made available on children who self-harm or attempt suicide, including those in care, custody, health settings and immigration detention; 	Page 14

D	CIVIL RIGHTS AND FREEDOMS	
	Concluding Observations <u>not included</u> in the UNCRC Monitoring Group Report	
34-35	<p>Freedom of thought, conscience and religion (34) The Committee is concerned that pupils are required by law to take part in a daily religious worship which is “wholly or mainly of a broadly Christian character” in publicly funded schools in England and Wales, and that children do not have the right to withdraw from such worship without parental permission before entering the sixth form. In Northern Ireland and Scotland, children do not have right to withdraw from collective worship without parental permission. The Committee recommends that the State party repeal legal provisions for compulsory attendance at collective worship in publicly funded schools and ensure that children can independently exercise the right to withdraw from religious worship at school.</p> <p>The GB Civil Society Report to the UN Committee called for The UK and devolved governments should ensure that all children have the right to access a broad religious studies curriculum, including a non-religious world-view. The degree to which state schools can religiously select should be gradually reduced.</p>	18
36	<p>Freedom of association and peaceful assembly In order to fully guarantee children’s right to freedom of movement and peaceful assembly, the Committee recommends that the State party:</p> <p>(a) Prohibit the use of mosquito devices (acoustic youth dispersal devices) in public spaces;</p> <p>(b) Collect data on measures used against children, including children aged 10-11 years, to deal with anti-social behaviours, as well as dispersal, and monitor the criteria and proportionality of their use.</p> <p>The GB Civil Society Report to the UN Committee called for The UK State Party and devolved governments should ban the use of mosquito devices in public spaces and make legislative changes to ensure that the range of Injunctions to Prevent Nuisance and Annoyance and dispersal directions cannot be issued in response to normal childhood behaviour or behaviour that results from unmet SEN needs. Breach of such injunctions should not result in a custodial sentence.</p>	19
37	Right to Privacy	19

The Committee recommends that the State party:

- (a) Prohibit the use of non-statutory stop-and-search checks against children;
- (b) Ensure that the statutory use of the stop-and-search checks is proportionate, taking into consideration the age and maturity of the child, and non-discriminatory;
- (c) Regularly collect, analyse and publish data relating to the use of stop and search on children, disaggregated by age, sex, disability, geographic location, ethnic origin and socioeconomic background.

The **GB Civil Society Report** to the UN Committee called for Police forces across the UK State Party should be required to routinely collect, analyse and publish data relating to the use of stop and search on children (disaggregated by age and other key factors), in order to ensure that children, or particular groups of children, are not being disproportionately targeted (*echoes Children's Commissioners*). The Home Office annual review of stop and search should assess the proportionality of age alongside other protected characteristics. Statutory stop and searches should be used as a last resort rather than a routine tactic, and be effectively regulated within a strengthened legal framework.

The UK State Party and devolved governments should legislate to ensure there is no 'naming and shaming' of children in conflict with the law or who are subject to anti-social behaviour provisions. This should include measures to:

- Protect the identity of a child in receipt of the new anti-social civil injunction;
- Include a presumption that the privacy of children involved in criminal proceedings will be protected;
- Extend the power of the courts to protect the identity of child defendants after they reach the age of 18.

Systems should be put in place at a local level throughout the UK to ensure children's information is processed securely, accurately and in the best interests of the child.

DNA The UK State Party should legislate to ensure children are treated distinctly from adults in relation to their DNA and fingerprints. In line with Article 40 of the Convention, innocent children should not have their personal data held for up to five years, and the data of children convicted of a more serious offence or two minor offences should not be held indefinitely.

E	VIOLENCE AGAINST CHILDREN	
	<p>Concluding Observations <u>not included</u> in the UNCRC Monitoring Group Report</p>	
38-39	<p>Torture and other cruel or degrading treatment or punishment</p> <p>38) The Committee is concerned about:</p> <p>(a) The use by the police of Tasers and, in the case of Northern Ireland, attenuating energy projectiles against children in the four devolved administrations;</p> <p>(b) The increased use of restraint and other restrictive interventions against children in custodial settings in England and Wales and the lack of data on the use of restraint in other parts of the State party;</p> <p>(c) The use of physical restraint on children to maintain good order and discipline in young offenders' institutions and of pain-inducing techniques on children in institutional settings in England, Wales and Scotland, and the lack of a comprehensive review of the use of restraint in institutional settings in Northern Ireland;</p> <p>(d) The use of restraint and seclusion on children with psychosocial disabilities, including children with autism, in schools.</p> <p>(39) With reference to the Committee's general comment No. 13 (2011) on the right of the child to freedom from all forms of violence and Sustainable Development Goal 16, Target 16.2,</p> <p>the Committee urges the State party to:</p> <p>(a) Prohibit the use of electrical discharge weapons, such as Taser guns, AEPs (Northern Ireland) and any other harmful devices on children and systematically collect and publish age disaggregated data on their use in order to monitor the implementation of such prohibition;</p> <p>(b) Abolish all methods of restraint against children for disciplinary purposes in all institutional settings, both residential and non-residential, and ban the use of any technique designed to inflict pain on children;</p> <p>(c) Ensure that restraint is used against children exclusively to prevent harm to the child or others and only as a last resort;</p> <p>(d) Systematically and regularly collect and publish disaggregated data on the use of restraint and other restrictive interventions on children in order to monitor the appropriateness of discipline and behaviour management for children in all settings, including in education, custody, mental health, welfare and immigration settings.</p> <p>The GB Civil Society Report to the UN Committee called for The UK State Party should :</p> <ul style="list-style-type: none"> • Ban the use of Tasers on children. In the meantime, the regulations, guidance and transparency around the use of Tasers on children should be improved (<i>echoes Children's Commissioners</i>). • Regularly publish fully disaggregated national data on the use of harmful devices against children; • Prohibit the use of harmful devices on children by prison, police and immigration staff including ratchet handcuffs and chains. 	Page 20

	<p>Restraint - The UK State Party and devolved governments should ensure that restraint against children is only used as a last resort and exclusively to prevent harm to the child or others. It should never be used to deliberately inflict pain. All methods of physical restraint for disciplinary purposes should be abolished (<i>echoes Children's Commissioners</i>).</p> <p>All institutional settings, whether run by the State or by private or voluntary organisations, should be open and transparent about their approaches to discipline and behaviour management.</p>	
<p>45-46</p>	<p>Harmful Practices</p> <p>45) The Committee welcomes the enactment of the Serious Crime Act (2015) in England and Wales, which enables the courts to issue protection orders to protect potential or actual child victims of female genital mutilation. However the Committee is concerned at:</p> <p>(a) The significant number of children who are affected by harmful practices, including female genital mutilation, and the forced marriage of girls and boys aged 16 and 17 years in some parts of the State party;</p> <p>(b) Cases of medically unnecessary surgeries and other procedures on intersex children before they are able to provide their informed consent, which often entail irreversible consequences and can cause severe physical and psychological suffering, and the lack of redress and compensation in such cases.</p> <p>47. With reference to its general comment No. 18 on harmful practices (2014), the Committee recommends that the State party:</p> <p>(a) Take effective measures to ensure that marriage of children of 16-17 years of age takes place only in exceptional circumstances and is based on the full, free and informed consent of the concerned children;</p> <p>(b) Continue and strengthen preventive and protection measures to address the issue of harmful practices, including collecting data, training of relevant professionals, awareness-raising programmes, provision of protection and care to the child victims and the prosecution of perpetrators of these acts;</p> <p>(c) Ensure that no one is subjected to unnecessary medical or surgical treatment during infancy or childhood, guarantee bodily integrity, autonomy and self-determination to children concerned, and provide families with intersex children with adequate counselling and support;</p> <p>(d) Provide redress to the victims of such treatment;</p> <p>(e) Educate medical and psychological professionals on the range of sexual, and related biological and physical, diversity and on the consequences of unnecessary interventions for intersex children.</p>	<p>Page 26</p>
<p>47-48</p>	<p>Freedom of the child from all forms of violence (<u>BULLYING</u>)</p> <p>47) The Committee is concerned that:</p> <p>(a) Bullying, including cyberbullying, remains a serious and widespread problem, particularly against lesbian, gay, bisexual, transgender and intersex children, children with disabilities and children belonging to minority groups, including Roma, gypsy and traveller children;</p> <p>49. The Committee recommends that the State party:</p>	<p>Page 27</p>

	<p>(a) Intensify its efforts to tackle bullying and violence in schools, including through teaching human rights, building capacities of students and staff members to respect diversity at school, improving students' conflict resolution skills, conducting regular monitoring of incidences of bullying at school, and involving children in the initiatives and monitoring aimed at eliminating bullying;</p> <p>(b) In the light of the recommendations resulting from the day of general discussion on digital media and children's rights, train children, teachers and families on the safe use of information and communication technologies, raise awareness among children on the severe effects that online bullying can have on their peers, and increase the involvement of social media outlets in the efforts to combat cyber-bullying.</p> <p>The GB Civil Society Report to the UN Committee called for The UK State Party and devolved governments should intensify their efforts to reduce bullying in schools (<i>echoes Children's Commissioners</i>). Measures should be put in place that:</p> <ul style="list-style-type: none"> • Establish national minimum standards for anti-bullying policies in consultation with children, promote awareness of them among children and young people, and ensure they are assessed through the inspection regime; • Ensure consistent and robust recording and monitoring of bullying behaviour, both in person and online, across all local authorities; • Provide teachers with adequate training to tackle bullying, including cyber bullying and bullying affecting specific groups of children, for example disabled children, and LGBT children; • Provide adequate resources to promote children's safety online including cyber bullying; • Encourage schools and all relevant organisations to involve children in the development and implementation of policies to tackle bullying. <p>Online activities - The UK State Party and devolved governments should ensure all children are better informed about their right to online safety and privacy, and how to stay safe online. Internet safety information should be widely available and promoted in schools</p> <p>UNCRC Report – made reference to bullying in respect of schools (See education section)</p>	
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F	FAMILY, ENVIRONMENT AND ALTERNATIVE CARE	
	Concluding Observations <u>not included</u> in the UNCRC Monitoring Group Report	
49-50	<p>Family environment (CHILDCARE)</p> <p>49) The Committee acknowledges that there are good practices in the State party and the devolved administrations in providing childcare to those who need it. However, the Committee is concerned about the negative effect of the high cost of childcare on children and their family environment. The Committee recommends that the State party and the devolved governments conduct a rigorous child rights impact assessment of the recent reduction of funding for childcare and family support and adjust the family support policy in order to make childcare services available to all those who need it.</p> <p>The GB Civil Society Report to the UN Committee called for The UK Government should exercise non-devolved powers so that Universal Credit support for childcare with a tax-free child care scheme is introduced to create a single and fair system.</p> <p>UNCRC Report – made reference to childcare only in respect of poverty (See Standard of Living section)</p>	Page 28
	UNCRC Monitoring Group Report / GB Report Recommendations <u>not included</u> in the Concluding Observations	
	<p><u>Young Carers</u></p> <p>The UK State Party and devolved governments should identify, record and report on numbers of and support for young carers and work towards providing adequate support so that children do not have to care for a relative. In the meantime:</p> <ul style="list-style-type: none"> The provision of adequate support to young carers should be appropriately resourced, including for medication collection, household financial management, short breaks and transition to adulthood, and teachers should be trained to identify and act upon the needs of young carers. (GB Report) 	

G	DISABILITY, BASIC HEALTH AND WELFARE
	Concluding Observations <u>not included</u> in the UNCRC Monitoring Group Report
65-66	<p>Nutrition</p> <p>(65) The Committee is concerned about:</p> <p>(a) The high prevalence of overweight and obesity among children in many parts of the State party;</p> <p>(b) The lack of comprehensive data on child food security, while some research indicates that currently available programmes, such as free school meal programmes, may not be effectively responding to child hunger;</p> <p>(c) The extremely low rate of breastfeeding, the fact that only one per cent of women maintained exclusive breastfeeding for six months in 2010, and the inadequate regulation of marketing of breast-milk substitutes.</p> <p>67. The Committee recommends that the State party:</p> <p>(a) Systematically collect data on food security and nutrition for children, including those relevant to breast-feeding, overweight and obesity, in order to identify root causes of child food insecurity and malnutrition;</p> <p>(b) Regularly monitor and assess effectiveness of policies and programmes on food security and nutrition of children, including school meal programmes and food banks, as well as programmes addressing infants and young children;</p> <p>(c) Promote, protect and support breastfeeding in all policy areas where breastfeeding has an impact on child health, including obesity, certain non-communicable diseases, and mental health, and fully implement the International Code of Marketing of Breastmilk Substitutes.</p> <p>The GB Civil Society Report to the UN Committee called for The UK State Party and devolved governments should:</p> <ul style="list-style-type: none"> • To enable progress to be measured, routinely collect comprehensive UK-wide national breastfeeding initiation and prevalence rates; • Establish a national infant feeding strategy board in each nation, task the boards with developing a national infant feeding strategy and implementation plans; • Enact the International Code of Marketing of Breast-Milk Substitutes and relevant resolutions of the World Health Organisation; • Ensure all hospitals, maternity, neo-natal and health visiting services maintain baby-friendly accreditation; • Investigate the low increase or static incidence of breastfeeding and provide more targeted support.
67-68	Environmental Health

Page 41

Page 42

	<p>(67) The Committee is concerned at the high level of air pollution, which directly affects child health in the State party and contributes to the negative impact of climate change affecting various rights of the child, both in the State party and in other countries.</p> <p>68. With reference to Sustainable Development Goal 1, Target 1.5, the Committee recommends that the State party, including the devolved administrations in relation to devolved matters;</p> <p>(a) Set out a clear legal commitment, with appropriate technical, human and financial resources, to scale up and expedite the implementation of plans to reduce air pollution levels, especially in areas near schools and residential areas;</p> <p>(b) Place children's rights at the centre of national and international climate change adaptation and mitigation strategies, including through its new domestic climate strategy, as well as in the framework of its international climate change programmes and financial support</p>	
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H	EDUCATION, LEISURE AND CULTURAL ACTIVITIES
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I	SPECIAL PROTECTION MEASURES	
	Concluding Observations <u>not included</u> in the UNCRC Monitoring Group Report	
79-80	<p>Child victims and witnesses of crimes</p> <p>(79) The Committee is seriously concerned that children who are victims or witnesses of crimes have to appear in court to be cross examined. The Committee recommends that the State party introduce, as a standard, video-recording of the interview with a child victim or witness during investigation and allow the video-recorded interview as evidence in court.</p>	Page 55
81-82	<p>Optional Protocol on the sale of children, child prostitution and child pornography</p> <p>(81) The Committee welcomes the ratification of the Council of Europe Convention on Action against Trafficking in Human Beings, and new legislation in this area, including the Modern Slavery Act (2015), the Human Trafficking and Exploitation Act (Northern Ireland) (2015), the Human Trafficking and Exploitation Act (Scotland) (2015), and the introduction of an independent statutory guardian for all unaccompanied children in Northern Ireland and Scotland, and for all</p>	Page 55

potential child victims of trafficking in England and Wales. The Committee also notes the commitment of the United Kingdom in the fight against all forms of violence against children, including sexual abuse, exploitation and trafficking of children. Nevertheless, the Committee remains concerned that:

(a) No measures have been taken to ensure that all children up to 18 years of age are protected from all types of offences covered by the Optional Protocol and to ensure that domestic legislation throughout the State party, including at the devolved level, enables it to establish and exercise extraterritorial jurisdiction, without the dual criminality criterion, over all offences covered by the Optional Protocol;

(b) The system for identification and referral of victims of the offences covered by the Optional Protocol and children who are at risk of being victims of such offences is weak;

(c) Child victims of trafficking can still be prosecuted for the crimes that they are forced to commit in the context of trafficking, and the right to a statutory guardian for child victims of trafficking has not been fully operationalized in the State party;

(d) While the acts adopted in 2015 provide further protection to children up to 18 years of age from offences covered by the Optional Protocol, the Sexual Offences Act (2003) in England and Wales and the Sexual Offences (Northern Ireland) Order (2008) have not been revised to provide full and equal protection to all children under 18 years of age.

83. The Committee recommends that the State party fully implement the Committee's recommendations on the initial report of the State party (CRC/C/OPSC/GBR/CO/1), provided in its concluding observations on the Optional Protocol on the sale of children, child prostitution and child pornography in particular that the State party:

- (a) Ensure that all children up to 18 years of age are protected from all types of offence covered by the Optional Protocol and that domestic legislation throughout the State party, including in its devolved administrations, enables it to establish and exercise extraterritorial jurisdiction, without the dual criminality criterion, over all the offences covered by the Optional Protocol;
- (b) Strengthen the National Referral Mechanism for identifying trafficked and exploited children which is embedded in existing child protection procedures;
- (c) Establish mechanisms and procedures to protect the rights of child victims of offences covered by the Optional Protocol, including establishing a clear obligation of non-prosecution, and ensure that they are treated as victims rather than criminals by the law enforcement and judicial authorities;
- (d) Operationalize the provision of a competent and statutory guardian during the criminal justice process;
- (e) Revise its legislation to ensure that all children up to 18 years of age are protected from all types of offence covered by the Optional Protocol.

The **GB Civil Society Report** to the UN Committee called for The UK State Party and devolved governments should:

- Introduce a reformed National Referral Mechanism for identifying trafficked and exploited children which is embedded in existing child protection procedures. It should be a multi-agency model requiring mandatory, accredited and specialist training for all social workers, police and front line professionals and rights of appeal to children;
- Legislate to introduce a non-prosecution provision in statute to prevent child victims of trafficking from being prosecuted for crimes directly connected to their trafficking situation;
- Make available safe accommodation, including specialist foster care for child victims of trafficking based on a detailed assessment of their welfare and protection needs, which should be guaranteed until the age of 21;
- Ensure a durable solution for children who have been trafficked to the UK be sought at the earliest opportunity following a formal Best Interests Determination process.

83-
86**Optional Protocol on children in armed conflict**

83) The Committee remains concerned that:

- (a) The State party maintains the wide scope of its interpretative declaration on article 1 of the Optional Protocol, which may permit the deployment of children to areas of hostilities and their involvement in hostilities under certain circumstances;
- (b) The minimum age for voluntary recruitment as 16 years has not been changed and child recruits makes up 20 per cent of the recent annual intake of United Kingdom Regular Armed Forces;
- (c) The Army Board endorsed increasing the recruitment of personnel under 18 years old to avoid undermanning, and children who come from vulnerable groups are disproportionately represented among recruits;
- (d) Safeguards for voluntary recruitment are insufficient, particularly in the light of the very low literacy level of the majority of under-18 recruits and the fact that briefing materials provided to child applicants and their parents or guardians do not clearly inform them of the risks and obligations that follow their enlistment;
- (e) In the army, child recruits can be required to serve a minimum period of service up to two years longer than the minimum period for adult recruits.

85. The Committee recommends that the State party:

- (a) Consider reviewing its position and raise the minimum age for recruitment into the armed forces to 18 years in order to promote the protection of children through an overall higher legal standard;
- (b) Reconsider its active policy of recruitment of children into the armed forces and ensure that recruitment practices do not actively target persons under the age of 18 and ensure that military recruiters' access to school be strictly limited;
- (c) In recruiting persons under the age of 18, strengthen its safeguards required by Article 3 of the Optional Protocol, in order to ensure that the recruitment is genuinely voluntary, and based on fully informed consent of the recruit as well as their parents and legal guardians, and ensure that recruitment does not have discriminatory impact on children of ethnic minorities and low-income families;
- (d) Ensure that the minimum period of service applied to children when enlist into the army is no longer than that applied to adult recruits.

(85) The Committee notes with concern that, according to the Joint Doctrine Publication 1-10 for Captured Persons (second edition, October 2011), only children under the age of 15 years benefit from special protection

The Committee recommends that the State party implement its previous recommendation on the Optional Protocol on captured child soldiers (CRC/C/OPAC/GBR/CO/1, paragraph 29) for all children under 18 years old

The **GB Civil Society Report** to the UN Committee called for The UK State Party should raise the minimum age for recruitment into the armed forces to 18 years (*echoes Children's Commissioners*); and in the interim, strengthen its safeguards in order to meet the standards required by Article 3 of the Optional Protocol on the involvement of children in armed conflict (OPAC), ensuring that, as a minimum:

- Briefing materials for potential child recruits and their parents/guardians explain the risks and legal obligations of enlistment in full;
- Recruiters are obliged to make direct personal contact with parents at the outset of the recruitment process and that parents remain fully involved throughout the process;
- Parents are entitled to withdraw consent to enlistment until a child recruit is 18 years of age;

	<ul style="list-style-type: none">• The minimum standard of literacy required for enlistment is raised to ensure that recruits are able to comprehend their enlistment papers in full;• The minimum period of service applied to children at enlistment into the army is not longer than that applied to adult recruits.	
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J	Ratification of the Optional Protocol on a communications procedure
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K	Ratification of international human rights instruments
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L	Cooperation with regional bodies (<u>Council of Europe</u>)
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About the Wales UNCRC Monitoring Group

The Wales UNCRC Monitoring Group is a national alliance of non-governmental and academic agencies, tasked with monitoring and promoting the United Nations Convention on the Rights of the Child in Wales. The UNCRC Monitoring Group was established in 2002 and is presently facilitated by Children in Wales, the national umbrella organisation. Since 2002, the Group has worked with the UN Committee on the Rights of the Child and submitted civil society reports to inform successive UK State Party Examinations.

Members of the Monitoring Group are representatives of, and nominated by, non-governmental organisations and academics which are as follows - Barnardo's Cymru, Centre for Welsh legal Affairs- Aberystwyth University, Children in Wales, Children's Commissioner for Wales (observers), NSPCC Wales/Cymru, Play Wales, Save the Children Wales, UNICEF (observers), Wales Observatory on Human Rights of Children and Young People and the Welsh Local Government Association (observers)



Children in Wales
Plant yng Nghymru