CHILD SOLDIERS INTERNATIONAL

Alternative report to the Committee on the Rights of the Child on the occasion of the UK's Fifth Periodic Review report

Recruitment, use and treatment of children by the British armed forces

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NGO report contact:

Child Soldiers International

9 Marshalsea Road, 4th Floor, London SE1 1EP, UK

T: +44 20 7367 4112

E: info@child-soldiers.org

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Executive summary

1. The UK is one of **fewer than 20** countries worldwide which still has an armed forces recruitment age of 16 years or below. More than half of the other states to do this are in the **British Commonwealth**. The policy has been **criticised by a wide range of statutory and non-governmental bodies**.[1]

2. The UK recruits approximately **2,000** children per year into the armed forces, of whom the large majority enlist in the army, where as a matter of policy they are enlisted disproportionately into frontline combat roles. As a consequence, child recruits are **over-represented in roles carrying the greatest long-term risk.**[2]

3. Child recruitment is **concentrated in socio-economically deprived regions.** Most army enlistees have a **low or very low reading age** and/or arrive with multiple vulnerabilities associated with **adverse childhood backgrounds**. In 2015, **74 per cent** of child enlistees for the main training course for child recruits were assessed as having a reading age of **11 or less**; **7 per cent** had a reading age as low as **five** – below the army's own minimum standard for entry. A number of child recruits are also known to be **self-harming**, which contravenes the army's own entry criteria. In autumn 2013, **125** child recruits began training before their medical checks had been completed. [3]

4. The army states that the majority of staff at the Army Foundation College Harrogate (AFCH), the initial training establishment for child recruits, 'arrive without the necessary training' to work with vulnerable child trainees. In addition, in autumn 2014 **18 per cent** of staff who required criminal record checks to work with children had not yet been vetted.[4]

5. Despite the prohibition on routine deployment of children to war zones, the youngest recruits still face substantially elevated risks over the course of their military career. A study in 2013 found that soldiers who enlisted aged 16 and completed training were approximately **twice** as likely as adult recruits to die or be injured in Afghanistan. Younger recruits also face substantially elevated risk of **mental health problems** and their sequelae, such as **heavy drinking**, **violent behaviour** and **self-harm**, when compared to their civilian peers and to older armed forces personnel.[5]

6. As of 2013, the armed forces are now **exempt** from the legal framework setting out minimum standards for children's participation in education from age of 16 (including those who are in full-time employment). Consequently, the army does not offer its child trainees the same minimum standard of education that must be provided to working civilians of the same age. The army's education provision is minimal and falls **well below** the recommended minimum standard for the 16-18 age group. Having been encouraged to leave education early while most of their peers remain in civilian education to age 18, the army offers child trainees only **low-grade courses** of **little transferable value**, which have been **strongly criticised** by education experts. In addition, the minimum output standard for child recruits in army initial training has been **weakened by one grade** from Level 1 to Entry Level 3, which is equivalent to the reading age of a 9-11 year old.[6]

7. **More than a third** of child recruits in the army drop out of training, which leaves them looking for another job without having completed their education, or trying to re-enter the education system at a late stage. In view of the disadvantaged background typical of the youngest recruits, these leavers are particularly vulnerable after discharge.[7]

[1] Refer to paragraphs 12-13.
[2] Refer to paragraphs 14 and 19-23.
[3] Refer to paragraphs 16-17.
[4] Refer to paragraph 18.
[5] Refer to paragraphs 24-26.
[6] Refer to paragraphs 27-30.
[7] Refer to paragraph 31.

8. Despite strong ethical and practical reasons for a transition to all-adult armed forces, the Ministry of Defence (MoD) has **declined all calls** to carry out a feasibility study. The British army now intends to **increase** the proportion of children recruited, stating that children are easier to attract than adults.[8]

9. The evidence collected in this document shows that the UK's policy is **in breach of the United Nations Convention on the Rights of the Child (CRC) and its Optional Protocol on the involvement of children in armed conflict (OPAC)**. Specifically:

    a. By allowing the possibility of children taking direct part in hostilities, the UK's Declaration to OPAC undermines the spirit and purpose of the treaty in relation to Article 1, by prioritising perceived military necessity over the best interests of the child.[9]

    b. Recruitment practice clearly fails to ensure that enlistment of children is genuinely voluntary in the sense of requiring a mature choice based on a fully informed assessment of the consequences. It also fails to ensure that consent from parents is both genuine and fully informed. In these respects, recruitment practice **falls short of the UK's undertakings** in its binding declaration on OPAC and **violates OPAC Article 3**.[10]

    c. Aspects of policy on the recruitment, use and treatment of child recruits also violate Articles 13, 37, 38.3 and 40 of the CRC. For example, there are **sweeping restrictions** on freedom of expression; children deprived of liberty are **not accommodated separately** from adults; older children and adults are **not prioritised** for military recruitment; and children charged with military offences are **not tried in the juvenile justice system**.[11]

10. With one exception, the Committee on the Rights of the Child's (the Committee) recommendations regarding armed forces policy made in the Concluding Observations on the UK's OPAC Report of 2008 have **not been implemented**. One of the developments warmly welcomed by the Committee at its 2008 session has now been reversed by the UK, significantly worsening conditions for child recruits.[12]

11. This report's main recommendation is that the UK raise the minimum age for recruitment into the armed forces to 18. Other recommendations are listed on page 24.

[8] Refer to paragraphs 15 and 32-37.
[9] Refer to paragraphs 38-40.
[10] Refer to paragraphs 42-60.
[11] Refer to paragraphs 96-106.
[12] Refer to paragraphs 61-95.

Overview

Child recruitment in the UK

12. Most states now recruit only adults, from age 18, into their armed forces. The UK is one of **fewer than 20** states which still maintain a minimum recruitment age of 16 or below.[13] It is the only state in Europe, the only major military power, and the only Permanent Member of the UN Security Council to do this. More than half of the other states recruiting from age 16 are in the Commonwealth,[14] where military policy and practice are strongly influenced by the UK's precedent.

13. The UK's low minimum recruitment age has been challenged in the UK by the Commons/Lords Joint Committee on Human Rights,[15] the Commons Defence Committee,[16] the Equality and Human Rights Commission,[17] the four Children's Commissioners for England, Wales, Scotland, and Northern Ireland,[18] most major children's and human rights organisations,[19] and some veterans themselves.

14. The armed forces accept applicants aged 15 years and 7 months, with a view to enlisting them on or close to their 16th birthday.[20] In FY 2013/14, the armed forces recruited **2,120** children (870 aged 16 and 1,250 aged 17), who made up **20 per cent** of the entire annual intake.[21] More than **80 per cent** of child recruits are enlisted into the army,[22] particularly for frontline combat roles.

15. The UK's Fifth Periodic Review report (May 2014, hereafter 'the UK's Report') notes that recruitment of children has declined over the last decade, but the Army Board has since stated that it intends to expand the recruitment of children because adults are proving difficult to attract to a military career.[23]

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[13] See Child Soldiers International, *Louder than words: An agenda for action to end state use of child soldiers*, 2012, pp. 142-160, http://child-soldiers.org/global_report_reader.php?id=562.
[14] Extrapolated from Child Soldiers International, *Louder than words*, 2012, op. cit., pp. 142-160.
[15] Joint Committee on Human Rights, *Children's Rights: Twenty-fifth Report of Session 2008-09*, 2009.
[16] House of Commons Defence Committee. *Duty of Care (Third Report of Session 2004-5*), 2005; House of Commons Defence Committee, *The Armed forces Covenant in Action? Part 4: Education of Service Personnel (Fifth Report of Session 2013-14)*, 2013.
[17] Equality and Human Rights Commission, *UK Government UPR Mid-term Report: Report from the Equality and Human Rights Commission*, 2010, p. 5, http://www.equalityhumanrights.com/sites/default/files/documents/humanrights/hrc13_midterm_report.pdf.
[18] In January 2015, the outgoing Children's Commissioner for England, Maggie Atkinson, said that 16 was too young to be joining the armed forces and that the minimum age for recruitment should be raised to 18. In February 2015, the Children's Commissioners for Wales, Scotland and Northern Ireland issued a joint statement supporting their counterpart's position. For sources and detail, refer to Child Soldiers International, *Children's Commissioners call for an end to the recruitment of minors into the British armed forces*, http://child-soldiers.org/news_reader.php?id=834.
[19] Amnesty International, *United Kingdom: Army Barracks Deaths: Families Demand Justice*, 2003, http://www.amnesty.org/en/library/asset/EUR45/004/2003/fr/0087c2f2-d6d8-11dd-ab95-a13b602c0642/eur450042003en.html; UNICEF, *UNICEF questions UK's right to deploy child soldiers in cases of "genuine military need"*, 23 July 2003, http://www.essex.ac.uk/armedcon/story_id/000085.html. In addition, Children in Scotland, the Children's Society, and the National Union Teachers have communicated their criticism of the policy directly to Child Soldiers International.
[20] British Army (Recruiting Group: Army Recruiting and Training Division), *Recruiting Group Instructions*, 2013, Chapter 11, para 11.151.
[21] Ministry of Defence (MoD), *UK Armed Forces Annual Personnel Report*, 2014, Table 7 https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/312539/uk_af_annual_personnel_report_2014.pdf.
[22] MoD, *UK Armed Forces Personnel Report*, 2014, Table 7, op. cit.
[23] Maj Gen Tickell, *Witness Statement*, submitted in *Child Soldiers International v Secretary of State for Defence*, 2015, para 16, http://child-soldiers.org/research_report_reader.php?id=841.

Army recruitment concentrated in poorer communities

16. Army recruitment is concentrated in the UK's most socio-economically deprived regions: Wales, the north of England, and the central belt of Scotland.[24] Recruitment of children is concentrated in particular in the north of England,[25] where the main training establishment for child recruits is based, the AFCH.

17. The MoD does not collect data on the socio-economic background of recruits but other available data provide indicators. For example, of AFCH's intake for its main training course in March 2015, **74 per cent** had been assessed as having a reading age of 11 or less; **seven per cent** had a reading age as low as five,[26] which is **lower** than the army's minimum entry standard.[27] AFCH child recruits in 2013-14 included individuals identified as **self-harming**, **at risk at home**, arriving from **local authority care**, or who were **already parents**.[28] In September 2013, 125 child recruits began training **without having completed their medical checks**.[29]

18. AFCH's Supervisory Care Directive characterises its child trainees as 'the Army's most sensitive recruits' but also states that the majority of staff 'arrive without the necessary training' to work with them.[30] As of September 2014, **18 per cent** of its staff who required criminal record checks in order to work with children lacked them.[31] It is unknown whether these staff were allowed to continue in their work pending the checks, but in any case the view of the MoD is that it is '**not legally required** to establish whether individuals working with 16 or 17 year old Service personnel are disqualified from working with children'.[32] This is by virtue of the children being in paid employment,[33] although child trainees and adult staff are both resident at the training camp.

Enlistment of children into frontline roles

19. Child recruits are actively sought for the most dangerous armed forces roles, since recruiters struggle to fill these jobs with adults alone. Specifically, the MoD has said that a benefit of recruiting from such a young age is that it allows the army to compensate for manning shortfalls, 'particularly for the infantry'.[34] This is the most dangerous part of the army; its fatality rate in Afghanistan was **seven times** that in the rest of the armed forces.[35]

20. In addition, the recruitment arrangements are so structured as to channel the youngest recruits into frontline combat roles. Recruiters' instructions state that the very youngest army recruits, aged between

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[24] Information obtained under the Freedom of Information Act, Ref. FOI2015/00374, 4 February 2015, https://www.whatdotheyknow.com/request/247631/response/613728/attach/3/20150112%20FOI00374%20Scott%2074302%20Sec%2004%2002%20O.pdf.

[25] Lt Col Lane, *Witness Statement*, submitted in *Child Soldiers International v Secretary of State for Defence*, 2015, para 10, http://child-soldiers.org/research_report_reader.php?id=839.

[26] 74% of recruits were assessed to have literacy skills at Entry Level 3 (equivalent to a reading age of a 9-11 year old); 7% were assessed at Entry Level 1 (equivalent to a 5-7 year old). Information obtained under the Freedom of Information Act, Ref. FOI2015/03426, 21 April 2015, http://child-soldiers.org/research_report_reader.php?id=822.

[27] The army's minimum standard is Entry Level 2 (equivalent to a 7-8 year old). British Army (Recruiting Group), *Eligibility Quick Reference Guide*, 2015, p. 12, http://child-soldiers.org/research_report_reader.php?id=827.

[28] Information obtained under the Freedom of Information Act, Ref. FOI2015/04273, 27 May 2015, http://child-soldiers.org/research_report_reader.php?id=830.

[29] Lt Col S Lane, cited in Army Foundation College Independent Advisory Panel, *Annual Report: 2014*, p. 6, http://www.army.mod.uk/documents/general/AFC_IAP_REPORT_2014.pdf.

[30] Army Foundation College (British Army), *Supervisory Care Directive*, 2014, para 82, http://www.parliament.uk/documents/commons-committees/defence/Army_Foundation_College_SCD.pdf.

[31] British Army (Army Foundation College), *Quality Improvement Action Plan for the Army Foundation College (H)*, 2014, Ref. A-3.

[32] MoD (Directorate Service Personnel and Welfare), *JSP 893: Policy on Safeguarding Vulnerable Groups*, 2012, para 1.10.

[33] MoD, *Policy on Safeguarding Vulnerable Groups*, 2012, op. cit., para 1.10,

[34] According to the MoD, Junior Entry recruitment (aged 16-17.5 years) 'presents an opportunity to mitigate Standard Entry (SE) shortfalls, particularly for the Infantry'. 'SE' refers to recruits aged 17.5 years and above. MoD, *Policy on recruiting Under-18s (U18)*, 2013, obtained under the Freedom of Information Act, Ref. FOI2015/00618, 12 February 2015, p. 2, http://child-soldiers.org/research_report_reader.php?id=817.

[35] The infantry's fatality rate in Afghanistan has been seven times that of the rest of the armed forces. For sources and detail, refer to David Gee, *The Last Ambush: Aspects of mental health in the British armed forces*, ForcesWatch, 2013, p. 58, http://www.forceswatch.net/content/last-ambush.

16 and 16½ at enlistment, may **only** join frontline combat roles or as drivers in the logistics corps. Those **younger than 16¼** may only join combat roles.[36]

21. Additionally, recruits enlisting before they reach 18 have not completed their Further Education and therefore typically lack the qualifications needed for technical roles. (The entry requirement for all technical roles training at the AFCH is at least GCSE grade C in English and maths.[37]) This factor further skews the intake of children towards non-technical, frontline combat roles.

22. As a consequence, child enlistees are over-represented in frontline combat roles. For example, over the last five years, **32 per cent** of child enlistees in the armed forces as a whole joined the army infantry, versus **24 per cent** of adult enlistees (See Appendix Table 1).

23. It is important to note that the concentration of child recruits into frontline combat roles is both intentional, as noted above in paragraph 19, and structured into recruitment policy, as noted in paragraph 20.

Elevated risk for child recruits

24. Despite the prohibition on routine deployment to war zones before the age of 18, the youngest recruits collectively face substantially elevated risks over the course of their military career. This difference arises from a) their greater vulnerability to trauma, due to their young age and relatively adverse childhood background,[38] combined with b) their greater direct exposure to warfare arising from their over-representation in frontline combat roles.[39] Indeed there is abundant evidence that enlistment from age 16 places children at **elevated long-term risk** relative to either adult recruits or civilians of the same age.

25. For example, a 2013 statistical study by Child Soldiers International and ForcesWatch found that soldiers who enlisted at 16 and completed training were approximately **twice** as likely as adult recruits to die or be injured in Afghanistan.[40] In addition, the army has said that child recruits are **twice** as likely as adults to be medically discharged due to injury during training.[41]

26. A detailed review of mental health research in 2013 showed that, compared with their civilian counterparts, the youngest recruits from the most deprived backgrounds face a **substantially higher** risk of mental health problems and their sequelae, such as heavy drinking, violent behaviour, self-harm and suicide.[42] Whilst the data rarely distinguish between recruits above and below age 18 specifically, collectively they show a clear **linear trend**, according to which the mental health risk during and after a military career is both a) proportional to the degree of adversity during childhood; and b) inversely proportional to age.

Poor outcomes for child recruits

27. The armed forces are **exempt** from the legal framework governing the minimum participation in education by children from age 16.[43] The legislation requires that children leaving school for full-time employment at 16 must continue to complete **280 Guided Learning Hours** (GLH) per year towards

[36] British Army (Recruiting Group), *Eligibility Quick Reference Guide*, 2015, p. 8, http://child-soldiers.org/research_report_reader.php?id=827.
[37] Ofsted, *Army Foundation College (Harrogate): An MoD inspection report*, 2012, para. 16, http://child-soldiers.org/research_report_reader.php?id=842.
[38] Refer to Appendix Table 2.
[39] For a detailed discussion refer to David Gee, *The Last Ambush, 2013*, op. cit.
[40] Child Soldiers International and ForcesWatch, *Young age at Army enlistment is associated with greater war zone risks*, 2013,http://child-soldiers.org/research_report_reader.php?id=699.
[41] British Army, *Initial Training Group Policy Document: Care for the Under-18s*, 2013, p. 5.
[42] For sources and detail, refer to David Gee, *The Last Ambush*, 2013, op. cit.
[43] The Education and Skills Act (2008), requires that as of 2015 all children aged 16 and 17 continue to participate in education. Children in full-time employment must complete 280 guided learning hours of education annually, towards accredited qualifications. It is this part of the Act from which the armed forces are exempt. The exemption is specified in The Duty to Participate in Education or Training (Miscellaneous Provisions) Regulations 2013, SI 1205, http://www.legislation.gov.uk/uksi/2013/1205/regulation/8/made.

accredited qualifications. The Department for Education admits that it made no assessment of the armed forces' education offer before the exemption was granted.[44]

28. AFCH trainees are offered only low-grade Functional Skills qualifications, which have **little transferable value** in civilian life and have been **strongly criticised** by education experts.[45] The army requires only that, by the end of their initial training, recruits attain the Entry Level 3 standard in numeracy and literacy,[46] which is equivalent to a reading age of **between 9 and 11 years**. Ministerial statements show that this standard has been **weakened** since 2011 when it was set at Level 1, one grade above Entry Level 3.[47]

29. In addition, recruits at AFCH are enrolled onto a 'Public Services Apprenticeship', which consists mainly of accredited units of infantry training with little or no transferable value to future civilian employment. Examples of its learning outcomes are **'meet physical fitness requirements', 'operate and maintain small arms and team weapons', and 'perform ceremonial duties'**.[48]

30. GCSE examinations, which are a necessary step towards Further and Higher Education, are not available to trainees and rarely taken by soldiers of any age.[49] In contrast, GCSE resits and courses are readily available to the same age group in civilian education institutions for those who do not join the armed forces. Many more young people who struggled in school now successfully re-sit their GCSEs to enable them to improve their prospects in education and employment.[50]

31. The army's recruitment of children also jeopardises their long-term outcomes in another way. **More than a third** of the army's child recruits drop out of training (versus **about a quarter** of adult recruits).[51] Having been diverted from completing their education, these young discharged soldiers have to look for a civilian job if they have the qualifications, or try to return to education if they can still find a place. In view of the typically disadvantaged background of the youngest recruits, these individuals are particularly vulnerable when they leave the army in this way.

Recruiting children: evidence of detriment versus benefit

32. The army frequently offers handpicked testimonials from child recruits as evidence that their best interests are well served as soldiers, but is unable to present statistical evidence of long-term benefit. As

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[44] Information obtained under the Freedom of Information Act, Ref. FOI: 2015-0024594 CRM:0706003, 19 June 2015, http://child-soldiers.org/research_report_reader.php?id=832.

[45] For details, see Child Soldiers International, *Mind the gap: Education for minors in the British armed forces*, 2012, http://child-soldiers.org/research_report_reader.php?id=337.

[46] Ministerial statement. Hansard, HC Deb, 23 April 2013, c809W. See also MoD, *JSP 898, Defence Direction and Guidance on Training, Education and Skills*, 2014, p. 96, http://child-soldiers.org/research_report_reader.php?id=831.

[47] Ministerial statements. Hansard: HC Deb, 30 November 2011, c975W; HC Deb, 3 July 2012, c624W.

[48] The full list of learning outcomes is: Maintain competence, knowledge and standards of conduct in public service; Work safely in public service; Work as a team member to deliver public service; Administer first aid; Use and maintain physical resources; Use communication systems in working contexts; Meet physical fitness requirements;
Plan and navigate a cross country route; Operate and maintain small arms and team weapons; Perform ceremonial duties. Federation for Industry Sector Skills and Standards, *HM Forces (England): Apprenticeship framework*, pp. 18-19, http://www.afo.sscalliance.org/frameworkslibrary/downloader.cfm?FRID=FR02016.

[49] For example, in 2013 only 20 soldiers in the army as a whole sat and passed a GCSE in English. Ministerial statement. Hansard: HC Deb, 25 November 2013, c35W.

[50] The proportion of young people successfully gaining GCSEs grade D-G in both English and Maths at age 15 has increased from 90.0 per cent in 2005 to 92.9 per cent in 2012. The proportion gaining grades A*-C in both subjects at age 15 has also increased from 43.3 per cent to 50.9 per cent in the same period. The proportion of those who failed to gain grades D-G in both subjects at age 15 but who did so by age 18 has increased from 6.4 per cent in 2008 to 8.2 per cent in 2012. The proportion of those who failed to gain grades A*-C in both subjects at age 15 but who did so by age 18 has increased from 7.2 per cent in 2008 to 10.1 per cent in 2012. Ministerial statement. Hansard: HC Deb, 7 November 2013, c336W.

[51] Between 2010-11 and 2012-13, 36% of minors and 25% of adults who enlisted in the Army left during training, calculated as follows: Of those who enlisted in the army aged under 18, 1,050 dropped out of 2,400 recruits in 2010-11; 930 of 2,930 in 2011-12; 760 of 2,300 in 2012-13; total 2,740 of 7,630 = 35.9%. Of those who enlisted over 18, 1,710 dropped out of 5,640 recruits in 2010-11; 1,900 of 7,550 in 2011-12; 1,520 of 7,360 in 2012-13; total 5,130 of 20,550 = 25.0%. MoD, *Annual Personnel Report* [2012, 2013, 2014 editions], https://www.gov.uk/government/collections/uk-armed-forces-annual-manning-statistics-index; drop-out figures from Hansard: HC Deb, 13 May 2013 c99W.

the foregoing observations show, the available evidence indicates that the army's enlistment of children is strongly detrimental to their best interests, particularly when compared with the education and training options available to the same age group in the civilian sector and in view of the elevated long-term risks consequent upon enlisting at 16 or 17.

33. Despite the confluence of strong ethical and practical reasons to review the UK's recruitment age, the MoD has refused all calls to carry out a study into the feasibility of transitioning to all-adult armed forces.

Feasibility of a transition to all-adult armed forces

34. Contrary to the rest of Europe, the UK states in its Report to the Committee that it needs to recruit from age 16 in order 'to sustain the required staffing levels',[52] particularly in the army. However, the MoD has never examined the feasibility of transitioning to all-adult armed forces. The available evidence strongly indicates that all-adult armed forces would be sustainable, for the following reasons:

35. Between them, the navy and air force now recruit approximately 350 children per year, accounting for approximately **5-8 per cent** of their intake. Both could stop recruiting children immediately without detriment to their trained strength.

36. The army still recruits children in large numbers but its annual intake requirement (all ages) has been reducing. The army now says that it needs to recruit **9,300** personnel each year;[53] this is **28 per cent** lower than its actual intake 10 years ago.[54] The army's much smaller size ought to make recruiting sufficient adult personnel more achievable than it was in the past. Against this, Ministers point to an 'increasingly competitive employment market' as a reason to keep recruiting from age 16,[55] but the current unemployment rate is very close to its 20-year average.[56]

37. The army further argues that child recruits provide better value than adults because they are promoted more quickly and stay in the armed forces for longer.[57] In fact, child recruits are **less likely** to be promoted and **more likely** to remain at the rank of Private.[58] Although child recruits tend to stay in the army for longer than do adult recruits, this factor is more than outweighed by their **substantially longer and more costly training** and their **higher drop-out rate**.[59]

[52] HM Government, *Fifth Periodic Report to the UN Committee on the Rights of the Child*, 2014, p. 59, http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fGBR%2f5&Lang=en; see also Ministerial statement, Hansard: HC Deb, 13 May 2013, c99W.
[53] Brig Cavanagh, *Witness Statement*, submitted in *Child Soldiers International v Secretary of State for Defence*, 2015, para 10, http://child-soldiers.org/research_report_reader.php?id=840.
[54] In 2005-06, the army recruited 12,865 across all ranks. Defence Analytical Services and Advice, *UK regular forces: Intake and outflow by age for financial year 2005-2006*, 2006, Table 1.
[55] Ministerial statements. For example, see Hansard: HC Deb, 13 May 2013, c99W.
[56] The unemployment rate in 2014 was 6.2%, close to the average figure over the last two decades (6.4% 1995-2014). Office for National Statistics, *Labour Market Statistics*, 2015, http://www.ons.gov.uk/ons/datasets-and-tables/data-selector.html?cdid=MGSX&dataset=lms&table-id=1. The average figure is calculated from the online table.
[57] MoD, *Policy of recruiting Under-18s*, 2013. Obtained under the Freedom of Information Act, Ref. FOI2015/00618, http://child-soldiers.org/research_report_reader.php?id=817.
[58] MoD, *JE vs SE project*, 2010, Tables 8 and 9. Obtained under the Freedom of Information Act, Ref. FOI2015/00618, http://child-soldiers.org/research_report_reader.php?id=818.
[59] Refer to Child Soldiers International, *Army recruitment: comparing cost-effectiveness of recruiting from age 16 versus age 18*, September 2014, http://child-soldiers.org/research_report_reader.php?id=781.

Optional Protocol on the Involvement of Children in Armed Conflict: Compliance issues

Article 1: Prohibition on children's direct participation in hostilities

> *Article 1. 'States Parties shall take* ***all feasible measures*** *to ensure that members of their armed forces who have not attained the age of 18 years do not take a direct part in hostilities.'*[60]

38. Following their signature of OPAC, the UK no longer deploys children to war zones as a matter of routine, although it did so in error on at least **22** occasions between 2003 and 2010.[61] In most cases the child was returned to the UK within days, although one remained in operational theatre for three months.[62]

39. The UK's OPAC Declaration reserves for the armed forces the right to deploy children for reasons that include 'the successful completion of the military mission' and 'operational effectiveness'.

40. By promoting military requirements above the best interests of the child, the UK's position undermines the spirit and purpose of OPAC, namely to protect children from armed conflict in all circumstances. The UK therefore appears to be in violation of OPAC Article 1. Its Declaration may be a reservation incompatible with the object and purpose of OPAC, which would be prohibited under Article 19 of the Vienna Convention on the Law of Treaties (1969).

41. In its Concluding Observations on the UK's first OPAC report, the Committee registered concern at the 'wide scope' of the UK's Declaration and recommended it be reviewed 'to ensure that its policy and practice are in conformity with article 1 of the Protocol and that children are not exposed to the risk of taking direct part in the hostilities'.[63] The UK Lords/Commons Joint Committee on Human Rights also called on the government to implement the CRC's recommendations. Nonetheless, the Declaration has not been amended.

Article 3.3: Minimum safeguards for enlistment

> *Article 3.3 'States Parties that permit voluntary recruitment into their national armed forces under the age of 18 years shall maintain safeguards to ensure, as a minimum, that:*
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> *a) Such recruitment is* ***genuinely voluntary****;*
> *b) Such recruitment is done with the* ***informed consent*** *of the person's parents or legal guardians;*
> *c) Such persons are* ***fully informed*** *of the duties involved in such military service;*
> *d) Such persons provide* ***reliable proof of age*** *prior to acceptance into national military service.'*

Article 3.3a: Recruitment to be 'genuinely voluntary'

42. Enlistment into the British armed forces has been **formally voluntary** since the 1960s. However, for a choice to be deemed **'genuinely voluntary'**, it must be more than not compulsory, but also informed. This requires in turn that a person be sufficiently mature to weigh the long-term consequences of their options. A genuinely voluntary choice further depends on the availability of a range of viable alternative options, such that the decision is positively made rather than one of last resort. For these reasons, a

[60] Emphasis added here and in subsequent quoted sections of the CRC and OPAC.
[61] For sources and detail, see Child Soldiers International, *Letter from UK Ministry of Defence regarding deployment of under-18s on combat operations*, April 2015, http://child-soldiers.org/research_report_reader.php?id=821.
[62] Child Soldiers International, *Letter from UK Ministry of Defence*, April 2015, op. cit.
[63] Committee on the Rights of the Child, Consideration Of Reports Submitted By States Parties Under Article 8 Of The Optional Protocol To The Convention On The Rights Of The Child On The Involvement Of Children In Armed Conflict: Concluding observations, United Kingdom Of Great Britain And Northern Ireland, (CRC/C/OPAC/GBR/CO/1), 2008http://www2.ohchr.org/english/bodies/crc/docs/AdvanceVersions/CRC.C.OPAC.GBR.CO.1.pdf, paras. 10,11.

formally voluntary choice, meaning one not externally compelled, is not necessarily **genuinely voluntary**, meaning freely and responsibly chosen.

43. In the UK, large numbers of young people from adverse backgrounds are enlisted into military employment that entails substantial risks over a long period, the removal of civil rights, and restrictive legal obligations. Applicants, who may be as young as 15, are in a formative and vulnerable stage of development and thus at risk of making consequential decisions on impression rather than critical reflection. The written and oral briefing information provided by the armed forces portrays military life in glamorous terms and omits its difficulties and risks. For example, marketing for the armed forces, which includes in its target audience children below recruitment age, glamorises 'big guns', 'awesome armour' and 'big boys' toys'.[64] In view of these considerations, the ability of potential child recruits to make a genuinely voluntary choice about enlistment – one that is informed, mature and freely made over other viable options – is in question.

44. With the exception of the period between enlistment and their 18th birthday when child recruits have a qualified right to leave the armed forces, they are locked into their employment for a period of years, depending on age at enlistment and the branch joined (army, navy or air force). The terms of service are complicated and not readily accessible to child recruits. The army's main brochure, the 34-page 'Guide to Army Life', does not mention the terms of service or the risks of military life.[65] The army jobs website for AFCH misleads potential recruits by assuring them that all recruits can leave during training, which is not true.[66] It also implies wrongly that a child recruit will not be locked into the army unless they opt in at 18, whereas the obligation takes effect automatically.[67] The Enlistment Paper, which contains crucial details concerning recruits' legal obligations, is not publicly available and only provided to recruits immediately before enlistment. Until April 2015, the army had never set out the terms of service in a document for potential recruits. Such a paper does now exist (as a formal document, separate from the brochures)[68] but it contains errors and its language would not be accessible to a child with the underdeveloped literacy skills typical of the youngest army recruits.

45. Where the armed forces do set out the terms of military service, they are described inconsistently and are confusing. Materials for the army's child recruits commonly state that army service 'starts from your 18th birthday' and that the minimum period of service is four years.[69] In fact, service begins from the point of enlistment and the minimum period of service can be as much as six years, depending on age at enlistment.[70] The language used is frequently obscure. For example, 'your engagement' means the expected duration of military service and 'discharge as of right' means the (limited) right to leave the armed forces in the months following enlistment; neither meaning is intuitively obvious and neither is clearly explained.

46. In contrast to the armed forces, the medical profession in the UK has advanced the concept of informed consent in order to ensure that the choices that children make about matters that affect them are genuinely voluntary, safeguard their rights, and protect them from undue risk. The framework used is based on 'Gillick competency', named after a legal case (Gillick v West Norfolk, 1985). The case

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[64] British Army, *This is Camouflage*, 2015, http://www.army.mod.uk/camouflage; News Letter, *'Big boys' toy show' with more than 4,000 jobs on offer*, 24 April 2015, http://www.newsletter.co.uk/news/regional/big-boys-toy-show-with-more-than-4-000-jobs-on-offer-1-6709060.

[65] British Army (Army Training and Recruiting Group), *Your guide to army life*, 2014 (in use March 2015).

[66] The explanation of the terms of service on the army jobs website is as follows: 'What if it's not for me? Junior Soldiers can leave the Army during their training at AFC Harrogate if that is what they want. However, when a soldier becomes 18, the usual sign up period is for four years, and any time served while they were under the age of 18 does not count towards the four years.' British Army (Army Foundation College Harrogate), *Contact us/FAQs*, 2015, http://www.army.mod.uk/training_education/24453.aspx.

[67] British Army (Army Foundation College Harrogate), *Contact us/FAQs*, 2015, op. cit.

[68] British Army (Directorate of Manning), *Terms and conditions of service*, 2015, http://www.army.mod.uk/documents/general/TermsofService.pdf.

[69] British Army (National Recruiting Centre), *Job offer template letter*, 16 March 2015, http://child-soldiers.org/research_report_reader.php?id=843.

[70] Army Terms of Service Regulations (2007), SI 3382 (as amended), 2007, *http://www.legislation.gov.uk/uksi/2007/3382/contents/made*.

examined the ethics of giving contraceptive advice to children without parental consent, but the ruling outlined the **general principles** according to which a child may be deemed sufficiently mature to make genuinely voluntary, responsible decisions that affect their interests. The principle of Gillick competency is normally taken to be, '...it is not enough that she [the child] should understand the nature of the advice which is being given: she must also have a sufficient maturity to understand what is involved.' (Gillick v West Norfolk, 1985). Further, Lord Justice Woolf's judgement in the case held that:

> '...whether or not a child is capable of giving the necessary consent will depend on the child's maturity and understanding and the nature of the consent required. The child must be capable of making a reasonable assessment of the advantages and disadvantages of the [medical] treatment proposed, so the consent, if given, can be properly and fairly described as true consent.' (Gillick v West Norfolk, 1984)

47. The medical profession has since developed minimum standards for 'informed consent' and detailed processes that practitioners must follow in order to assess whether a child's decision amounts to genuine consent. When approaching the child to request that medical records be shared, that a medical procedure be undertaken, or for research purposes, a number of criteria are tested and only if they are all met can the practitioner/researcher proceed. The armed forces, in which the psychological and physical risks to personnel are high, including death by wounding, apply no such principles or processes to their own arrangements for seeking consent from potential recruits.

48. Also unlike the consent required in the field of medicine, which can be withdrawn at any time, the army restricts the right of recruits to withdraw consent, as explained below.

49. For these reasons, it cannot be assumed that enlistment of children into the armed forces follows a decision that can reasonably be described as 'genuinely voluntary', in the sense of one made freely and maturely, with awareness of all relevant facts and plausible consequences.

Article 3.3b: 'Informed consent' of parents/guardian to be obtained

50. The UK's Declaration on OPAC states that parents/guardians are to be provided with a 'clear and precise explanation of the nature of duties involved in military service' and informed of 'the demands of military life' on their child. Having been so informed, the parents/guardian are required to provide a signature on the 'appropriate recruitment process forms' in order to signify that they 'freely consent' to their child's enlistment before the child may join the armed forces.[71] In practice, the arrangements for obtaining parental consent fall short of these undertakings.

51. To clarify the obligations conferred by this Article, the CRC has called upon the UK to: 'Ensure that parents are included from the outset and during the entire process of recruitment and enlistment.'[72] This does not happen. In order to signify informed consent to their child's enlistment, parents are **only required to provide a signature** on a form, countersigned by a witness. The form is sent to the recruit's home by post and normally signed there. **Recruiters are not required to have any contact with parents**;[73] it is common for parents never to have met with the army before their child enlists. The army has confirmed that it has no way of verifying that signatures on consent forms are authentic.[74] The Manual of Service Law states that if a parent or guardian cannot be identified for a child applicant**, the child may join without the consent of anyone**.[75]

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[71] Office of the High Commissioner for Human Rights, *Status of Ratification Dashboard (UK)*, 2015,http://indicators.ohchr.org
[72] Committee on the Rights of the Child, *Consideration Of Reports Submitted By States Parties Under Article 8 Of The Optional Protocol To The Convention On The Rights Of The Child On The Involvement Of Children In Armed Conflict: Concluding observations, United Kingdom Of Great Britain And Northern Ireland,* CRC/C/OPAC/GBR/CO/1, 2008 online at http://www2.ohchr.org/english/bodies/crc/docs/AdvanceVersions/CRC.C.OPAC.GBR.CO.1.pdf, para. 15 (b).
[73] Hansard: HC Deb, 9 February 2015 (223161); 24 March 2015 (227584).
[74] Information obtained under the Freedom of Information Act, Ref. FOI2015/04176, 20 May 2015, http://child-soldiers.org/research_report_reader.php?id=829.
[75] MoD, *Manual of Service Law*, chapter 18 ('Terms and conditions of enlistment and service'), para 9, https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/43291/Ch18.pdf.

52. The briefing material provided to parents does not explain the duties of military life, the demands that will be made of their child, or the risks that they would face. For example, the army's 32-page guide for parents **does not mention the terms of service[76] at any point**, nor does it discuss the risks of military life.[77]

53. The army leans heavily on the assumption that parents are both able and willing to make informed and responsible choices about their child's enlistment, despite frequently acknowledging the troubled background of many child recruits – including those who have been identified as being 'at risk' at home, for example. When parents live apart, only one parent's signature is required. Children in care may be enlisted with the consent of the local authority alone, irrespective of parents' wishes.

54. In contrast with standards of consent that apply in the medical profession, Queen's Regulations for the Army (para 109.006) state that **parents are not permitted to withdraw consent** after their child has enlisted: **'Retention in the Army is not reliant on continued parental permission.'** If a parent has not been party to the consent to enlistment, he or she may apply to have the enlistment invalidated, but not if three months have passed since the enlistment.[78] Should a child recruit express doubts about their career choice, the army **encourages parents to emphasise the 'positives' of the army**, rather than support the child to come to an informed decision of their own.[79]

55. By omitting the risks and legal obligations from brochures provided to parents and requiring nothing more than a signature as evidence of informed consent, and in the absence of a requirement of recruiters to meet with parents or guardians prior to enlistment, the armed forces **cannot know** whether the consent of parents/guardians is both genuine and informed, as OPAC Article 3.3b requires.

Article 3.3c: Applicants to be 'fully informed' prior to enlistment

56. As the foregoing observations show, the material provided to potential recruits **glamorises military life and does not set out the legal obligations or the risks**.[80] The terms of service document is **complex** and **not accessible** to individuals with **underdeveloped literacy skills**, who comprise the large majority of the army's child recruits.[81]

57. Although recruiting staff are supposed to brief candidates in person, there is **no way of verifying** that they do so fully and in such a way that the information is understood. They are also **not free from conflict of interest** in the matter. Despite the complexity of the terms of service, the three-week training course for army recruiters devotes only **90 minutes** in total to understanding the regulations governing all types of enlistment.[82] In any case, it is **not reasonable** to expect a child to agree to legal obligations that they are not capable of reading themselves.

58. By glamorising military life, omitting or downplaying vital information about risks and legal obligations, failing to set out the terms of service clearly in recruitment materials, and recruiting children with reading ages as low as five, the armed forces **cannot know** whether child recruits are 'fully informed' of the duties of a military career, as OPAC Article 3.3c requires.

Article 3.3d: Reliable proof of age to be provided

59. The UK's Declaration on OPAC states that 'an authoritative, objective proof' of age is required before enlistment may proceed. The instructions issued to army recruiters state that applicants must supply a

[76] These are briefly outlined in the Appendix.
[77] British Army (Army Training and Recruiting Group), *Meet the army: a guide for parents, partners and friends*, 2014 (in use March 2015).
[78] Ministerial statement. Hansard: HC Deb, 7 February 2011, c26W.
[79] Refer, for example, to Army Foundation College, *Welcome Pack covering letter, Burma Company*, 2015.
[80] Refer to paragraphs 43-44.
[81] Refer to paragraph 17.
[82] Army School of Recruiting (British Army), *Recruiter Course 14:006 – Course Programme*, 2015, p.5. Information obtained under the Freedom of Information Act, April 2015.

current passport or birth certificate to verify their name and age;[83] where neither document is available, the recruiting office should write to the appropriate Registrar for confirmation.[84] The candidate must also supply at least two other forms of identification from a prescribed list, with at least one stating their address.[85] References are no longer taken up.[86]

60. The army's instructions for recruiters (current at May 2015) state that failure to follow the above policy is the primary reason for 'Phase 1 stand-downs' (i.e. when training is aborted for administrative reasons).[87] The instructions state that army authorities have had to contact the Company Sergeant Major (CSM) of Junior Soldiers who had not provided their identification papers in full. This suggests that child recruits may have been allowed to enlist and begin training before their age and identity have been established in accordance with the policy.[88]

[83] British Army (Recruiting Group), *Eligibility Quick Reference Guide*, 2015, op. cit., p. 4.
[84] British Army (Recruiting Group: Army Recruiting and Training Division), *Recruiting Group Instructions*, Chapter 11, para 11.1.6-7.
[85] British Army, *Eligibility Quick Reference Guide*, 2015, op. cit., p. 4.
[86] British Army, *Eligibility Quick Reference Guide*, 2015, op. cit., p. 6.
[87] British Army, *Eligibility Quick Reference Guide*, 2015, op. cit., p. 4.
[88] British Army, *Eligibility Quick Reference Guide*, 2015, op. cit., p. 4.

Implementation of recommendations made in CRC Concluding Observations, 2008

61. The Committee's concluding observations on the UK's initial OPAC report, published in 2008, included a number of recommendations to the UK.[89] Of these, the UK has made progress on only one, namely the expansion of the right of discharge for child recruits. In relation to the minimum service period for child recruits, the UK has reversed previous improvements in direct opposition to the Committee's concluding observations and recommendations. The following sets out the current policy and practice for each of the Committee's recommendations about which we have evidence to provide, excluding those recommendations already discussed above. Paragraph numbers in subheadings refer to the Concluding Observations.

Paragraph 8: Introduce training on OPAC

> 'The Committee recommends that the State Party provide training on the Optional Protocol to all members of its armed forces, including those involved in international operations.'[90]

62. This recommendation **has not** been implemented. As the UK's present report to the Committee shows, armed forces training includes a section on international law,[91] although training on OPAC is not routinely included for all personnel as it is, for example, in the United States armed forces.[92]

Paragraphs 13 and 15a: Review the minimum age for recruitment

> 'The Committee encourages the State party to 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. In the meantime, the Committee recommends that, in recruiting among those persons who have not yet attained the age of18, priority is given to those who are the oldest.'[93]
>
> 'The Committee recommends that the State party reconsider its active policy of recruitment of children into the armed forces and ensure that it does not occur in a manner which specifically targets ethnic minorities and children of low-income families.'[94]

63. As context for these recommendations, the preamble to OPAC recognises 'the special needs of those children who are particularly vulnerable to recruitment or use in hostilities contrary to the present Protocol owing to their economic or social status or gender'.

64. These recommendations **have not** been implemented. The UK has repeatedly rejected calls to review the minimum age of recruitment and has yet to justify its refusals in any detail.

65. At the UK's Universal Periodic Review in 2012, the Human Rights Council also called on the UK to review its policy of recruiting children into the armed forces.[95] As noted in paragraph 13 above, the armed forces' active recruitment of children has also been queried and challenged by a wide range of statutory and non-governmental human rights bodies.

66. The general public would also support an increase in the recruitment age. A nationwide MORI poll in 2014 asked a free question about what the age should be for joining the British army. **77 per cent** of

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[89] Committee on the Rights of the Child, *Concluding Observations on the UK*, 2008, op. cit., paras. 10,11.
[90] Committee on the Rights of the Child, *Concluding Observations on the UK*, 2008, op. cit., para. 8.
[91] HM Government, *Fifth Periodic Report to the UN CRC*, 2014, op. cit., p. 59,
[92] Committee on the Rights of the Child, *Concluding observations on the second report of the United States of America submitted under article 8 of the Optional Protocol to the Convention on the involvement of children in armed conflict, adopted by the Committee at its sixty-second session (14 January–1 February 2013)*, 2013, http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fOPSC%2fUSA%2fCO%2f1&Lang=en, para 16.
[93] Committee on the Rights of the Child, *Concluding Observations on the UK*, 2008, op. cit., para. 13.
[94] Committee on the Rights of the Child, *Concluding Observations on the UK*, 2008, op. cit., para. 15(a)
[95] Human Rights Council, *Report of the Working Group on the Universal Periodic Review: United Kingdom of Great Britain and Northern Ireland*, 6 July 2012, http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G12/150/31/PDF/G1215031.pdf?OpenElement.

respondents who expressed a view said it should be 18 or above; **14 per cent** thought it should be 16 or less.[96]

67. As stated above, it is UK policy to channel the youngest recruits, who tend also to be from the poorest backgrounds, into frontline combat roles, particularly the infantry.[97] Indeed, children and recruits from adverse backgrounds are substantially over-represented in the infantry, as shown by Tables 1 and 2 and Graph 1 in the Appendix.

Paragraph 15b: Include parents throughout the recruitment process

> 'The Committee recommends that the State party ensure that parents are included from the outset and during the entire process of recruitment and enlistment.'[98]

68. This recommendation **has not** been implemented. As stated in paragraph 51 above, recruiters are not required to meet with the parents/guardians of child recruits.[99]

Paragraph 17: Expand child recruits' discharge rights

> 'The Committee recommends that the State party review the requirements for, and expand the exercise of, the "discharge as of right" for child recruits.'[100]

69. This recommendation **has** been implemented. Child recruits now have a legal right, albeit a qualified one, to leave the armed forces provided that notice is given before turning 18.

70. Following an advocacy campaign by British human rights groups, in July 2011 the government extended enlisted children a legal right of discharge (called DU18) up to their 18th birthday.[101] Once children have served for six months from the date of enlistment, they lose their legal right to discharge at 14 days' notice. As of 2011, however, they benefit from the legal right to leave the regular armed forces at up to three months' notice, provided that written application to leave is made before their 18th birthday.[102] Recruits are now informed of this right in their enlistment papers.[103]

71. The DU18 provision does not allow a recruit to leave the armed forces at will in a manner comparable to civilian employment. The child has no legal right to leave during their first six weeks (28 days + 14 days' notice period = 42 days). Thereafter, the child's application to discharge must first be reviewed and enacted by their Commanding Officer, pending a process during which the chain of command may seek to persuade the child to stay. Furthermore, enlisted children are subject to military law and may still be prosecuted for Absence Without Leave and other military offences, in which case the right of discharge is suspended until any sentence imposed is fully served. Once a recruit turns 18 (if six months have passed from the date they enlisted), they are automatically locked into their employment with the armed forces for four years (in the army) or less (in the navy and air force).

72. These qualifications notwithstanding, the new provision has helped to protect the rights of many children who joined the forces only to find that it was not what they expected it to be. In the past five years, no child recruits have been sentenced at a court martial for trying to leave the armed forces unlawfully.[104]

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[96] Ipsos MORI, Nationwide poll conducted in July 2014 by Ipsos MORI on behalf of the Joseph Rowntree Reform Trust Ltd, http://forceswatch.net//sites/default/files/IPSOSsurvey2014-Forces_age.pdf.
[97] Refer to paragraphs 19-20.
[98] Committee on the Rights of the Child, 2008, op. cit., para. 15(b).
[99] Refer to paragraph 51.
[100] Committee on the Rights of the Child, 2008, op. cit., para. 17.
[101] The Armed Forces (Terms of Service) (Amendment) Regulations 2011 (SI 1523).
[102] The Armed Forces (Terms of Service) (Amendment) Regulations 2011 (SI 1523), paras 5, 8, 9.
[103] See, for example, British Army, *Enlistment Information for Potential Entrants – Regular Army – Full Time*, 2013, http://beforeyousignup.info/Army-Enlistment-Paper.pdf.
[104] Information obtained under the Freedom of Information Act, Ref. FOI2015/01031, 24 February 2015.

Paragraphs 18-19: Equalise minimum period of service for child and adult recruits in the army

> 'The Committee welcomes the fact that the rule providing that under-18 Army recruits were required to serve a minimum period of service up to two years longer than the minimum period for adult recruits is no longer valid. However, the Committee is concerned that the new regulations only apply to new recruits as of 1 January 2008.'
>
> 'The Committee recommends that all persons who were still below 18 on 1 January 2008 also have the right to convert their minimum term of service to four years from the first day of duty.' [105]

73. This recommendation **has not** been implemented and the rule to which paragraph 18 refers was **reinstated** in August 2008.[106] Therefore, when compared with the minimum service period applied to adult recruits in the army, child recruits are required to serve for longer before becoming eligible to transfer to the reserve list.

74. The effect of this is that an adult who enlists and completes four years' service may leave the regular army. A child who enlists and completes the same period of service may not leave; they are required to remain in the regular army until they reach the age of 22.[107]

75. The Committee made this recommendation on the strength of evidence received from the UK government that the terms of service for child and adult recruits had been equalised on 1 January 2008, thereby reducing the minimum service period of child recruits to four years. However, by August 2008 the law had been changed again to restore the previous policy which imposed on recruits enlisting as minors a minimum service period up to two years longer than that required of adult recruits. This policy remains in force today.

76. The enlisted child's legal right of discharge before the age of 18 in no way alters their disadvantage relative to an adult recruit, which arises after both soldiers have served for four years but only the older recruit is permitted to leave.

77. This situation is unique to the army; the air force and navy do not discriminate against the younger age group in this way.

78. Article 3 of the CRC requires that the best interests of the child are a primary consideration in all of the state's actions concerning children. This principle is not being applied in this case.

79. The Parliamentary Joint Committee on Human Rights has recorded particular concern that the terms of service for children joining the army are more onerous than those that apply to adult recruits.[108]

80. An application by Child Soldiers International for a judicial review of the army's differential terms of service on grounds of age discrimination has been accepted and the case will be heard in court in July 2015.

[105] Committee on the Rights of the Child, *Concluding Observations on the UK*, 2008, op. cit., para. 19.
[106] The Army Terms of Service (Amendment etc.) Regulations 2008 (SI 1849), http://www.legislation.gov.uk/uksi/2008/1849/contents/made.
[107] Army recruits must serve a minimum of three years before becoming eligible to give a year's notice to leave (total service period four years). However, for those who enlist as minors, the clock does not start on this three year period until they reach their 18th birthday, despite the fact they are, like adults, bound by military law from the date of their enlistment. As a result, recruits who enlist aged exactly 16 and do not positively act to leave the army before turning 18 must serve a minimum of six years; those who enlist aged exactly 17 must serve at least five years.
[108] Joint Committee on Human Rights, *Twelfth Report: Legislative Scrutiny: Armed Forces Bill*, 2011, Section 8.

Paragraph 20: Promote peace education

> 'The Committee recommends that the State party, in collaboration with civil society organizations, develop and implement training programmes and campaign to promote the values of peace and respect for human rights and include the subject of peace education and human rights as a fundamental subject in the education system.'[109]

81. This recommendation **has not** been implemented. As the UK Report notes, citizenship education is a core component of the national curriculum in schools, but peace education is not.[110]

82. The British government does not promote peace education or human rights education in schools. It does promote the armed forces, British military operations, British military history, and a 'military ethos' in education. The government is expanding cadet forces in disadvantaged state schools, promoting the management of schools by military-related organisations, fast-tracking veterans without a degree through teacher-training (Troops to Teachers programme), offering military-themed teaching resources for children as young as seven, and providing special funding for education support work with a military theme.[111]

83. In 2014, the Office of the Prime Minister produced a 'learning resource' for schools about the armed forces, which was roundly criticised by education experts as recruitment propaganda.[112] A critique by ForcesWatch described it as

> 'a largely one-sided and politically-directed presentation of the British armed forces, covering topics that ought to be considered controversial – from the British Empire to nuclear weapons – in a simplistic and partial way, without acknowledging important areas of debate around them'.[113]

84. Armed forces promotional teams, whose primary purpose is to promote a career in the armed forces,[114] visit schools and colleges around 11,000 times per year.[115] In regions for which figures have been made publicly available, most state secondary schools and colleges receive at least one visit (often more) by the armed forces each year.[116] Some primary schools are also visited.[117] A report by ForcesWatch in 2014 showed that in the two years 2010-11 and 2011-12, the armed forces visited **83 per cent** of state secondary schools in Scotland at least once; some schools were visited as many as 20 or 30 times.[118]

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[109] Committee on the Rights of the Child, *Concluding Observations on the UK*, 2008, op. cit., para. 20.
[110] HM Government, *Fifth Periodic Report to the UN CRC*, 2014, op. cit., p. 59.
[111] For a documented overview of British military engagement with young people, please refer to ForcesWatch, *Military activities in schools and colleges*, 2015, http://www.forceswatch.net/resources/military-activities-uk-schools-colleges-what-are-issues-and-what-you-can-do.
[112] For comments from educationalists, see, for example, ForcesWatch, *A critical response to "The British Armed Forces: Learning Resource 2014"*, 2015, http://forceswatch.net/sites/default/files/ForcesWatch_response_British_Armed_Forces_Learning_Resource.pdf.
[113] ForcesWatch, *A critical response to "The British Armed Forces: Learning Resource 2014"*, 2015, op. cit., p. 2.
[114] Despite repeated government statements that the armed forces do not recruit in schools, there is abundant evidence from the Ministry of Defence itself that this is the primary purpose of these visits. For detail, refer to ForcesWatch, *The recruitment agenda behind the UK armed forces' "engagement" with students in schools and colleges*, 2015,http://www.forceswatch.net/resources/recruitment-agenda-behind-engagement-schools.
[115] Ministerial statement. Hansard: HC Deb, 15 Apr 2013, c56W.
[116] See D Gee and A Goodman, *Army visits London's poorest schools most often*, 2010, http://forceswatch.net/sites/default/files/armyvisitstoschoolsLondon_Gee_and_Goodman.pdf; ForcesWatch, *Armed Forces Visits to Secondary Schools in Scotland*, 2014, http://www.forceswatch.net/content/armed-forces-visits-schools-scotland; National Assembly of Wales, *Supporting information for the evidence session, item 8*, 2013, http://www.senedd.assembly.wales/ieIssueDetails.aspx?IId=4793&PlanId=0&Opt=3#AI11977; ForcesWatch, *Figures reveal high number of visits by armed forces to Norfolk schools*, 2012, http://www.forceswatch.net/news/figures-reveal-high-number-visits-armed-forces-norfolk-schools.
[117] For example, see D Gee and A Goodman, *Army recruiters visit London's poorest schools most often*, 2010, op. cit; ForcesWatch, *Armed forces visits to secondary schools in Scotland*, 2014, pp. 1, 4, http://forceswatch.net/sites/default/files/Armed_forces_visits_to_secondary_schools_in_Scotland%28FINAL%29.pdf.
[118] The data are based on a two-year period between 2010 and 2012. ForcesWatch, *Armed forces visits to secondary schools in Scotland*, 2014, op cit., pp. 1, 4.

Paragraph 26 and 27: End armed guard duty and handling of firearms for child recruits

> 'The Committee regrets that armed guarding of United Kingdom military establishments may be undertaken by military personnel from the age of 17 years, and that this activity entails, as a minimum, weapon handling training and assessment as well as guidance on the use of force and the rules of engagement. The Committee encourages that the handling and use of firearms is abolished for all children in line with the spirit of the Optional Protocol.'[119]

85. These recommendations **have not** been implemented. Child recruits handle firearms and live ammunition; they are also routinely used as armed guards.

86. Army General Administrative Instruction 109.002 states: 'Recruits and trainees in Phase 1 training, regardless of their age, are allowed to handle weapons containing live rounds only under the supervision of a qualified member of staff on an authorised range.' This includes bayonet drill from age 16.[120]

87. Child recruits may be used as armed guards from age 17.[121]

Paragraph 31: Use civilian juvenile justice system for all child recruits in conflict with the law

> 'The Committee recommends that the State party ensure that children in conflict with the law, irrespective of its military or civil nature, are always dealt with within the juvenile justice system and are treated in accordance with the standards enshrined in the Convention (arts. 37 and 40) and illustrated in the Committee's general comment No. 10 on "Children's rights in juvenile justice".'[122]

88. This recommendation **has not** been implemented. Child recruits charged with military offences are dealt with in the military justice system, which has no juvenile branch.

89. In clarification of the requirements of CRC Article 40, the Committee has specified that States parties are required 'to develop and implement a comprehensive juvenile justice policy'.[123] In particular, States parties are required to 'establish an effective organisation for the administration of juvenile justice, and a comprehensive juvenile justice system'.[124]

90. Whilst civilian children in conflict with the law are treated through the juvenile justice system, children in the armed forces are not. The Ministry of Defence has stated: 'U18s [children] are subject to the same disciplinary arrangements as over 18s.'[125] A document published in 2010 by the Department of Education setting out the UK's compliance with the CRC, also stated: 'Members of the armed forces under the age of 18 are subject to the same military justice system as adults…'[126] This position is confirmed in the UK's Fifth Periodic Review Report.[127]

[119] Committee on the Rights of the Child, *Concluding Observations on the UK*, 2008, op. cit., paras. 26, 27.
[120] Information obtained under the Freedom of Information Act, Ref: FOI2015/00741, 11 February 2015.
[121] Ministerial statement. Hansard: HC Deb, 16 March 2015 (226715).
[122] Committee on the Rights of the Child, *Concluding Observations on the UK*, 2008, op. cit., para 31.
[123] Committee on the Rights of the Child, *General Comment No. 10 (2007): Children's rights in juvenile justice*, 2007, para 4.
[124] Committee on the Rights of the Child, *General Comment No. 10*, op cit., para 90.
[125] Ministry of Defence, *Defence Direction for Initial Training* (JSP 898 pt. 1), 2014, para 36. Obtained under the Freedom of Information Act, 24 February 2015 (Ref. FOI2015/01043).
[126] Department of Education, *The United Nations Convention on the Rights of the Child: How legislation underpins implementation in England*, 2010, p. 173.
[127] HM Government, *Fifth Periodic Report to the UN CRC*, 2014, op. cit., p. 60.

Paragraph 33: End arms exports to country situations where children may be used in armed conflict

> *'The Committee notes that all licence applications for exports from the United Kingdom are assessed against the Consolidated European Union and National Exports Licensing Criteria (Code of Conduct), which is made up of eight criteria with which to comply. However, while acknowledging that sale of arms to countries where children are known to be or may potentially be recruited or used in hostilities could fall within one or several of these criteria, it is concerned that this prohibition is not expressly included in a binding instrument.*
>
> *'The Committee recommends that the State party expressly prohibit, within its legislation, sale of arms to countries where children are known to be or may potentially be recruited or used in hostilities.'*[128]

91. This recommendation **has not** been implemented. The UK does not prohibit military exports to country situations where children may be used as soldiers or are otherwise affected by armed conflict. Indeed, the UK routinely exports arms and dual-use goods (i.e. civil or military) to such country situations.

92. The UK's Report makes a short statement on arms exports:

    'Under UK export control law the export of arms to all destinations is prohibited, unless authorised by a licence issued by the Secretary of State for Business Innovation and Skills. The UK will not issue an export licence if there is a clear risk that the equipment might be used to commit serious violations of human rights, or of international humanitarian law.'[129]

93. The UK assesses export licence applications for military goods and services, and those which may have a dual use (i.e. civil or military), against the Consolidated EU and National Arms Export Licensing Criteria.[130] These require an assessment of the impact of such exports on a country's internal situation, the human rights of the population, and conflict within or between states, among other considerations. The Consolidated Criteria do not amount to prohibitions, however; they are merely factors that the UK commits to take into account when considering export licence applications. The UK exports arms in large volume to states which routinely commit human rights violations. For example, two of the UK's largest customers for arms by value are Saudi Arabia and the United Arab Emirates,[131] both of which have been highlighted by Human Rights Watch, Freedom House and others for systematic abuses of human rights.[132]

94. The UK does not expressly prohibit such exports to country situations where children are known to be or may potentially be recruited or used in hostilities, nor is this a specific criterion that the government uses when making its assessment. This contrasts with policy in the United States of America, for example, where the Child Soldiers Prevention Act (2008) prohibits the export of arms to country situations where children are used as soldiers, albeit subject to a presidential waiver.[133]

95. In fact, the UK permits military/dual-use exports **to all 22 country situations** included in the Secretary General's report on children and armed conflict in 2014. Licences for UK military/dual-use exports to such countries totalled **£320.6 million** by value in the first nine months of 2014, of which **£99.1 million** by value were to countries that were both included in the Secretary-General's report and on the Security Council agenda in that year. The table below lists the UK export licences granted during the nine-month period to country situations included in the Secretary-General's report.

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[128] Committee on the Rights of the Child, *Concluding Observations on the UK*, 2008, op. cit., para. 33.
[129] HM Government, *Fifth Periodic Report to the UN CRC*, 2014, op. cit. p. 60.
[130] Ministerial statement. Hansard: HC Deb, 16 March 2015 (226718).
[131] Campaign Against Arms Trade, *UK arms export licences*, 2014, https://www.caat.org.uk/resources/export-licences.
[132] Human Rights Watch (HRW), *Saudi Arabia*, 2015, https://www.hrw.org/middle-eastn-africa/saudi-arabia; HRW, *United Arab Emirates*, 2015, https://www.hrw.org/middle-eastn-africa/united-arab-emirates. Freedom House, *Freedom in the world, 2015*, 2015, pp. 25-26, https://freedomhouse.org/sites/default/files/01152015_FIW_2015_final.pdf.
[133] United States of America, *The Child Soldier Prevention Act*, 2008, sec 404, http://www.state.gov/documents/organization/135981.pdf.

UK military/dual-use export licences approved Jan 2014 to Sep 2014 to states whose country situations are included in the Secretary-General's report on children and armed conflict, 2014						
Country situation included in SG report	**Country situations on SC agenda**	**Country situations with Annex 1 listed parties**	**Country situations with Annex 2 listed parties**	**Military**	**Dual-use**	**Total**
Afghanistan	Y	Y	N	£3,800,000	£2,000,000	**£5,800,000**
Central African Republic	Y	Y	N	£644,000	£73,000	**£717,000**
Chad	Y	N	N	£29,000	£0	**£29,000**
Cote d'Ivoire	Y	N	N	£1,000,000	£2,000,000	**£3,000,000**
Democractic Republic of Congo	Y	Y	N	£1,000,000	£2,000,000	**£3,000,000**
Iraq	Y	Y	N	£4,800,000	£12,000,000	**£16,800,000**
Israel and the State of Palestine*	Y	N	N	£8,300,000	£27,000,000	**£35,300,000**
Lebanon	Y	N	N	£380,000	£3,400,000	**£3,780,000**
Libya	Y	N	N	£137,000	£22,000,000	**£22,137,000**
Mali	Y	Y	N	£315,000	£37,000	**£352,000**
Myanmar**	Y	Y	N	£0	£1,600,000	**£1,600,000**
Somalia	Y	Y	N	£216,000	£781,000	**£997,000**
South Sudan	Y	Y	N	£367,000	£692,000	**£1,059,000**
Sudan	Y	Y	N	£0	£2,700,000	**£2,700,000**
Syria	Y	Y	N	£257,000	£13,000	**£270,000**
Yemen	Y	Y	N	£1,600,000	£0	**£1,600,000**
Colombia	N	N	Y	£690,000	£787,000	**£1,477,000**
India	N	N	N	£36,000,000	£46,000,000	**£82,000,000**
Nigeria	N	N	Y	£32,000,000	£26,000,000	**£58,000,000**
Pakistan	N	N	N	£19,000,000	£34,000,000	**£53,000,000**
Philippines	N	N	Y	£628,000	£1,500,000	**£2,128,000**
Thailand	N	N	N	£4,900,000	£20,000,000	**£24,900,000**
Total				**£116,063,000**	**£204,583,000**	**£320,646,000**

Over the nine-month period from Jan 2014 to September 2014, export licences worth...	
£99,141,000	were approved to states whose CAAC country situations are on the SC agenda
	(of which exports to Israel, at £35.3 million, were the greatest by value)
£221,505,000	were approved to states whose CAAC country situations are not on the SC agenda
	but are included in the SG's report
	(of which exports to India, at £82 million, were the greatest by value)
* Exports to Israel	
** Referred to as Burma	
Sources	
Strategic Export Controls Database portal at www.caat.org.uk	
UN GA, 'Report of the Secretary-General on children and armed conflict', UN Doc. A/68/878-S/2014/339.	

Convention on the Rights of the Child: Compliance issues

96. In addition to these observations regarding implementation of OPAC, the UK's policy also contravenes the provisions of the CRC itself, as follows.

CRC Article 13: Freedom of expression

97. There are **sweeping restrictions** on children's right to freedom of expression in the armed forces.

98. Queen's Regulations for the Armed Forces (J12.019) state that personnel may not express their views publicly or contribute in any way to public discourse if this 'create[s] **the possibility of embarrassment** to the Government'. The effect of the Regulation is to allow the state to prevent military personnel from speaking in public (including to researchers or the media) if this is to express critical views of the armed forces and military operations, but allow the expression of supportive views.

99. As such, the Regulation allows the state 'unfettered discretion' in restricting the freedom of expression; this is noted as forbidden in General Comment 34 of the Human Rights Committee.[134] Also contrary to the requirements of General Comment 34,[135] no justification is provided relating to the permitted exceptions to this right, namely on grounds of national security or the protection of public order, public health or morals.

CRC Article 37: Treatment of children deprived of liberty

100. It is policy to accommodate children together with adults in military prison.

101. In clarification of the provisions of CRC Article 37, your Committee has stated that States parties should establish 'separate facilities for children deprived of their liberty, which include distinct, child-centred staff, personnel, policies and practices'.[136] The Committee also stated that a 'child deprived of his/her liberty shall not be placed in an adult prison or other facility for adults'.[137] Scope for exception to this, as provided by CRC Article 37, 'should be interpreted narrowly; the child's best interests does not mean for the convenience of the States parties'.[138] In addition to the Under Article 10 of the International Covenant on Civil and Political Rights (ICCPR), the government must ensure that juvenile persons detained while awaiting trial or after a conviction are accommodated separately from adults; no exceptions are specified. Article 10 also states that the treatment of juvenile offenders should be 'appropriate to their age and legal status'. Under Article 14 of the ICCPR, the government must ensure that judicial procedures 'take account of [a defendant's] age'.

102. The UK's Report states that children are 'always held separately to adults' when in custody in England,[139] but this principle is not applied to Britain's military prison, the Military Corrective Training Centre (MCTC) in Colchester. Subject to a risk assessment, **children aged 17 may be accommodated with adults** at MCTC if on remand or sentenced to a period of detention.[140]

103. There appear to be **no distinct child-centred staff, personnel, policies and practices** in place, for neither MCTC's Child Protection Policy nor the MCTC Independent Monitoring Board Annual Report 2013 mentions these.[141]

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[134] Human Rights Committee, *General Comment No. 34*, op. cit. para 25.
[135] Human Rights Committee, *General Comment No. 34*, op. cit. para 35.
[136] Committee on the Rights of the Child, *General Comment No. 10,* 2007, op. cit., para 85.
[137] Committee on the Rights of the Child, *General Comment No. 10*, 2007, op. cit., para 85.
[138] Committee on the Rights of the Child, *General Comment No. 10*, 2007, op. cit., para 85.
[139] HM Government, *Fifth Periodic Report to the UN CRC*, 2014, op. cit., p. 57.
[140] Army General Administrative Instruction (AGAI) 109.
[141] Military Corrective Training Centre, *Child Protection and Safeguarding Policy*, op. cit.; Independent Monitoring Board (Military Corrective Training Centre Colchester), *Annual Report*, 2013, http://www.army.mod.uk/documents/general/20140602-IMB_Annual_Report_2013_Final-O.pdf.

CRC Article 38.3: Priority to older armed forces recruits

104. There is no policy in place to prioritise recruitment of adults over children, or older children over the younger.[142] As explained in this document's introduction, approximately **one fifth** of the army's intake is aged under 18; armed forces recruiters actively target children below enlistment age with marketing initiatives.

105. As mentioned above, the army has stated that it intends to increase recruitment of Junior Soldiers (aged between 16 and 17½) as these recruits are easier to attract.[143] This amounts to the **prioritisation of younger children over the older, and of children over adults**, which is contrary to the letter of CRC Article 38.3 and the spirit of OPAC, respectively.

CRC Article 40: Juvenile justice

106. There is **no juvenile justice system for military offences**. Please refer to paragraphs 88-90, above.

[142] Ministerial statement. Hansard: HC Deb, 13 May 2013, c99W.
[143] Maj Gen Tickell, *Witness Statement*, submitted in *Child Soldiers International v Secretary of State for Defence*, 2015, para 16, http://child-soldiers.org/research_report_reader.php?id=841.

Conclusions and Recommendations

Primary recommendation: raise the minimum age for military recruitment to 18

107. The UK should **raise to 18 the minimum age for recruitment into its armed forces** and ensure that the best interests of the child are paramount in all policies relating to the armed forces.

Implementation of the Committee's Concluding Observations of 2008

108. The UK should take immediate steps to **implement the remaining recommendations in full and report in detail in its next report to the Committee.**

Further recommendations that apply while the British armed forces continue to recruit children

109. The UK should ensure that the **minimum service period applied to child recruits is no greater than that applied to adult recruits.**

110. The UK must ensure that **children who do not meet the minimum entry criteria are not enlisted, without exception.** Special care must be taken to ensure these criteria are respected in relation to potentially vulnerable recruits.

    a. The UK should **raise the minimum enlistment age for frontline combat roles to 18.**

    b. In the meantime, the UK should **ensure that child recruits are not over-represented in frontline combat roles**, particularly in the infantry.

111. The UK should **improve educational provisions for child recruits so that GCSEs in core subjects are included,** which provide a necessary step towards Further Education and Higher Education and improve lifelong employment prospects.

112. The UK should explicitly instruct armed forces training personnel **not to attempt to dissuade enlisted children from invoking their right of discharge**.

113. The UK should review its welfare arrangements to ensure that **all staff who require a criminal record disclosure check obtain one** before working at all situations where child recruits are present.

114. The UK should **set out measures for ensuring that recruitment efforts target only those who have reached enlistment age and do so equitably across all social groups**.

Optional Protocol on the Involvement of Children in Armed Conflict: Compliance recommendations

115. The UK should **amend its Declaration on OPAC to ensure that child recruits cannot take a direct part in hostilities in any circumstances**.

116. The UK should **strengthen arrangements for seeking consent from potential recruits and their parents** in order to meet the requirements of OPAC in full. In particular:

    a. The UK should require armed forces recruiters, as a minimum, **to meet in person with the parents/guardians of child recruits at an early stage** in the process and before enlistment may proceed.

    b. The UK should give parents/guardians **the right to withdraw consent to enlistment** until their child turns 18.

    c. The UK should provide a description of the terms of service in all recruitment materials made available to potential child recruits. The text **should present the legal obligations of enlistment clearly and consistently**, and in language accessible to any child who meets the minimum entry criterion for literacy.

d. The UK should not enlist child recruits **who are unable to read for themselves the terms of service and fully understand and evaluate their implications**.

117. Additionally, the UK should substantially **strengthen the minimum criteria for enlistment** as a matter of urgency in order to safeguard against harm. In particular:

a. The UK should **raise the minimum reading age for entry to an appropriate level.**

b. The UK should discharge child recruits who are found after enlistment to fall short of the minimum medical criteria for entry **and give them appropriate support to transition to civilian life**.

Convention on the Rights of the Child: Compliance recommendations

118. The UK should **redraft the Queen's Regulations for the Armed Forces in order to conform to Article 13 on freedom of expression of the CRC.**

119. The UK should **end the policy of accommodating children charged and/or convicted with military offences together with adults**. The UK should ensure that children are **always accommodated separately from adults**, as required by Article 37 of the Convention.

120. The UK should **prioritise the recruitment of adults over children, and of older children over the younger.**

121. The UK should end the policy of trying children charged of military offences in military courts, which have no juvenile branch. **Children tried and/or convicted of military offences should be subject to the juvenile justice system in all cases, as required by Article 40 of the Convention.**

Child Soldiers International, July 2015

Appendix

Terms of service applying to child recruits in the army

Once a child has enlisted, they have no right to leave the army until they have completed the first six weeks of work (28 days compulsory + 14 days' notice period = 42 days). Any time spent away from work extends this period.

They then have a right to leave at 14 days' written notice provided that six months have not passed since the date they enlisted.

If, after this six-month period, the recruit is still under 18, then they have a right to leave at three months' written notice provided the notice is received before their 18th birthday.

Once the recruit has turned 18 they have no legal right to leave until their 22nd birthday at the earliest, for which they would have to have given a year's written notice beforehand.

They then join the reserve list for the following six years, during which time they may be called out to train or deploy at any time.

Their service in the army is continuous from the point at which they enlist to the point at which they leave; there is no break in service at age 18. Recruits are locked into their employment by default at age 18 unless they make a positive choice to leave the army before that date and within the army's rules.

Any time spent in military detention suspends the recruit's right to leave and extends their minimum service period.

Certain courses after basic training require recruits to sign a form waiving their right to leave the army for up to six further years, although the extension is usually for a shorter period.

Statistical data

Table 1

The number and proportion of a) minors and b) adults who enlisted in the armed forces in the last five years,* by branch (including the Infantry).

	Age 16 or 17	Age 18 and above	Total (all ages)
A. Total joiners	18,825	67,730	86,555
B. Joining Navy	1,955	13,740	15,695
C. Joining RAF	1,515	10,350	11,865
D. Joining Army	15,345	43,660	59,005
E. Joining Army Infantry	5,960	14,710	20,670
F. Infantry intake as proportion of all joiners (E / A)	**31.7%**	**24.1%**	**25.8%**
G. Infantry intake as proportion of all Army joiners (E / D)	**38.8%**	**36.9%**	**37.4%**

Sources:

A, B, C, D: Defence Analytical Services and Advice (DASA) 'Annual Personnel Report' (2011, 2012 and 2013 editions [Table 7 in each]) and 'UK Regular Forces Intake and Outflow by Age' (2008-09 and 2009-10 editions [Table 1 in each]) available at www.dasa.mod.uk – accessed 21 October 2013.
E: Ministerial statement. Hansard, HC Deb, 13 May 2013, c99W.

F and G are calculated from values in the table.

* The five-year period is from April 2008 to March 2013, with the exception of the Infantry intake figures, which are for April 2008 to February 2013.

Notes: a) Excludes commissioned officers; b) As DASA rounds all figures to the nearest five, totals may not equal the sum of the parts.

Table 2

Indicators of socio-economic disadvantage in the armed forces, by branch and including the Infantry (2012/2013).

	Of recruits with English and Maths GCSEs, proportion with poorer grades (D-G)	Proportion with highest childhood adversity score
All Army	34%-35%	29%
Infantry	47%-49%	36%
Rest of Army	28%-31%	27%
Navy	Unknown	18%
RAF	Unknown	15%

Sources:

Childhood adversity (2003/2004) for Army, Navy, RAF: Iversen, A. C., Fear, N. T., Simonoff, E., et al., 'Influence of childhood adversity on health among male UK military personnel', *The British Journal of Psychiatry*, 2007, 191:506-511.

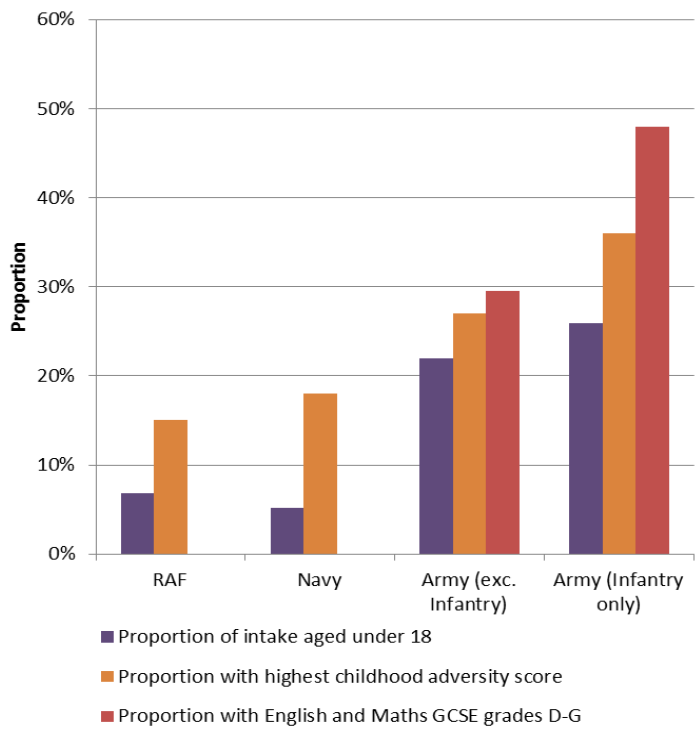
Childhood adversity (2003/2004) for Army Infantry (using same data set): Sundin, J., Jones, N., Greenberg, N. R., et al., 'Mental health among commando, airborne and other UK infantry personnel', *Occupational Medicine*, 2010, 60:552-559.

Educational attainment (2012/2013): calculated from data in Hansard: HC Deb, 11 June 2013, c235W.

Rest of Army values are calculated from Infantry and All Army values using size of Infantry of 23,272 (Personal communication with Defence Analytical Service and Advice, 25 March 2013) (24.6%) in an Army of 94,610. (Defence Analytical Services and Advice, 2013).

Graph 1

Proportions of youngest and socio-economically most disadvantaged recruits (all ages) in each branch of the armed forces, including the infantry. (See Table 2 for sources) GCSE data for the Navy and RAF are not available and values have been left blank.



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