



“Are we there yet?”

Our rights, our say

A report for the UN Committee on the Rights of the Child

November 2020

Children's
COMMISSIONER



Comisiynydd
Plant Cymru
Children's
Commissioner
for Wales

NICCY
PROMOTING THE RIGHTS OF
CHILDREN & YOUNG PEOPLE

**CHILDREN &
YOUNG PEOPLE'S**
Commissioner
Scotland



Contents

Introduction.....	2
General measures of implementation	5
General principles.....	8
Civil rights and freedoms	12
Violence against children	15
Family environment and alternative care	22
Disability, basic health and welfare.....	31
Education, leisure and cultural activities.....	40
Special protection measures	52
Brexit	59
Appendix 1: Engagement overview.....	61

Introduction

The United Nations Committee on the Rights of the Child last reviewed the UK's progress in 2016, and will do so again in 2021. This report is based on engagement with children and young people by Participation staff in four UK Children's Commissioners offices (England, Northern Ireland (NI), Scotland & Wales). It aims to provide the Committee with children and young people's voices about their experiences on the delivery of their rights on a day to day basis. Its key objective is to influence the UN Committee on the Rights of the Child list of issues prior to the UK's report (LOIPR). The four Commissioners will deliver a separate but supporting report, assessing how the UK Government and devolved administrations have progressed towards giving every child the opportunities and protections enshrined in the UNCRC.

Although there are still many challenges and barriers facing children and young people, their families and carers and those working with and for them, in achieving and realising their rights, it is recognised that there are many things that are going well in each of the nations, examples of which are highlighted below:

England

During the COVID pandemic there has been a welcome shift of focus onto the needs of vulnerable children, with a recognition of the importance of schools remaining open to promote children's wellbeing, safeguarding them from harm and avoiding the widening of the gap in attainment between disadvantaged pupils and their peers. Prior to the pandemic, there were also some positive developments. There has been increased funding for mental health services and plans are in place to improve access to mental health services in schools. There are proposals to introduce new guidance to support families and uphold children's rights when they are educated at home, new guidance on reducing restraint in special schools in England and plans for legislation to protect children from online harms. The Government has also committed to introducing Healthy Relationships and Sex Education and introduced legislation that acknowledges the impact of Domestic Abuse on children. Additionally, the Department for Education has developed a template for Child Rights Impact Assessments, and institutions are increasingly ensuring they have children's panels in order to make sure decisions are informed by the impact on children. However, this progress still needs to be seen relative to the ongoing challenges we currently face and the changes that are actually needed to improve children's lives right now, for example, a change to the large disparity in spending between children's and adult mental health services.

Northern Ireland (NI)

[The Children's Services Co-operation Act \(Northern Ireland\)](#) is a significant legislative development that aims to improve the well-being of children and young people in a manner that realises their rights. The Act places a statutory obligation on Government to adopt a Children and Young People's Strategy. This is in line with the [Committee on the Rights of the Child's General Comment No. 5 on the General Measures of Implementation of the UNCRC](#) that obliges State Parties to produce a 'national action plan for children'. It places further obligations on Departments / Agencies to co-operate with each other in order to contribute to the improvement of outcomes for children and young people. Additionally, the recent announcement by the Northern Ireland Assembly Commission of the establishment of a Youth Assembly for Northern Ireland¹ is welcomed as an additional step forward for the rights of children and young people.

¹<http://www.niassembly.gov.uk/visit-and-learning/youth-assembly-2020/>

Scotland

Following many years of campaigning by children and young people, civil society, and Children's Commissioners, Scotland is set to become the first country in the UK to directly incorporate the UN Convention on the Rights of the Child (UNCRC) into domestic law. The United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Bill was introduced to the Scottish Parliament on 1 September 2020.² The bill has cross party support and it is scheduled to be completed by early 2021. In 2019, the Scottish Parliament passed laws to prohibit the physical punishment of children that will come into force in November 2020³ and to raise the age of criminal responsibility from 8 to 12, although this has not yet been brought fully into force.⁴

Wales

The Children (Wales) Act 2020 will help protect children's rights when it comes into law in 2022 by prohibiting the physical punishment of children. There is now a Welsh Youth Parliament that is funded by and embedded within the Welsh parliament. A statutory framework for a whole school approach to mental health and wellbeing is being consulted on and expected to be introduced in 2021. The Curriculum and Assessment Bill will, if passed, ensure that every child receives Relationships and Sexuality Education.

Despite the above, there are many limitations in supporting children and young people across the UK to achieve their full potential, and this document aims to use the voice of children and young people to highlight these limitations and make sure that more is done. Many issues throughout the report found commonality across the four nations. Where issues are country specific this is noted.

This report is being written in the midst of the Covid pandemic - the children and young people's stories and experiences are set against a backdrop of social, educational, political and economic uncertainty. In a participative context, Covid-19 has created many barriers to regular participation practice affecting the ability of young people to travel, meet, socialise and generally get together and engage with their peers or key workers. Remote, online engagement has enabled this to happen to a degree despite problems around internet access and availability of computers and mobile devices.

Engagement overview

Despite Covid, the Commissioners' teams reached out and made every effort to hear and listen to the voice of young people. This included surveys, virtual visits to prisons, youth groups and children's homes, and remote engagement via partnerships with regional / local NGOs, particularly from groups of vulnerable young people. This was on the presumption that agencies have an existing mechanism of engaging their young people. Some agencies facilitated a conversation on the Commissioners' behalf; others invited Commission staff into their meetings.

Engagement methodology

Although each Office was responsible for their own engagement, teams supported each other through sharing of resources, i.e. workshop guidance and questionnaires. This was supported through ongoing contact amongst and between Offices.

²<https://beta.parliament.scot/-/media/files/legislation/bills/current-bills/united-nations-convention-on-the-rights-of-the-child-incorporation-scotland-bill/introduced/bill-as-introduced-united-nations-convention-on-the-rights-of-the-child-scotland-bill.pdf>

³ Children (Equal Protection from Assault) (Scotland) Act 2019 - <https://www.legislation.gov.uk/asp/2019/16/enacted>

⁴ Age of Criminal Responsibility (Scotland) Act 2019 - <https://www.legislation.gov.uk/asp/2019/7/contents/enacted>

Staff facilitated online discussions with children and young people and where this could not be facilitated, partner agencies were requested to facilitate this on the Commissioners' behalf⁵. Where this was not possible, recent consultations, reports and publications were sourced to fill identified gaps in information. Some of these sources originated from the Commissioner's Offices, others originated from regional and national NGOs and academic sources.

Appendix 1 gives an additional overview of each Nations' engagement with children and young people. Supporting information from reports, etc., have been referenced throughout the report.

⁵ As guided by good practice, if children raised any safeguarding concerns during consultations, appropriate action was taken.

General measures of implementation

Incorporation of the UNCRC

On 1 September 2020, the Scottish Government introduced the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Bill.⁶ This bill intends to deliver on the commitment to incorporate the UNCRC into Scots law "fully and directly", to the maximum extent of the Scottish Parliament's powers and be passed before the end of the current parliamentary term.⁷ Wales has some incorporation in the form of Ministers having a duty of 'due regard' to the UNCRC. However, until all four nations formally and legislatively confirm full incorporation, there are many barriers for children and young people achieving their rights. Children tell us that when adults act on what the child has said to them, they feel listened to. Similarly, children wanted adults to explain to them why something was or wasn't happening, and to respond either way⁸.

“ *Their response really, what they do about it. If I ask for something that has to do with my future, if they try and do something about it then I know they've listened, but if they just leave it to the side then they'd probably just be like, 'Oh, they're children, they don't know what they're talking about.* ”

- Young person, England

Many young people believe the UNCRC is not widely recognised or understood across their peer group, particularly those who do not engage in young people's organisations. They call for more work to be done through the curriculum to raise awareness of the UNCRC and to build a greater understanding of the rights among all young people. They want to be equal, included, listened to and valued. They want to have equal rights to children and young people across the world.⁹

“ *Not everyone knows about the UNCRC. To improve this they should tell more people about it and do special assemblies about the UNCRC in schools.* ”

- Young person, Children in Scotland

Children and young people have mixed experiences of learning about the UNCRC in school. Whilst some children report positive experiences of learning about rights, where local authorities and individual schools are embedding the UNCRC into lessons and taking on a whole school approach to Children's Rights using [The Right Way](#)¹⁰ or [UNICEF's RRSA](#)¹¹, other young people say they had little or no experience of learning about rights in schools.

⁶<https://beta.parliament.scot/-/media/files/legislation/bills/current-bills/united-nations-convention-on-the-rights-of-the-child-incorporation-scotland-bill/introduced/bill-as-introduced-united-nations-convention-on-the-rights-of-the-child-scotland-bill.pdf>

⁷ <https://cypcs.org.uk/incorporation/>

⁸ <https://www.childrenscommissioner.gov.uk/wp-content/uploads/2020/03/cco-childhood-in-2020.pdf>

⁹ <https://www.youthlinkscotland.org/media/3802/young-peoples-response-to-consultation-on-uncrc-incorporation-facilitated.pdf>

¹⁰ <https://www.childcomwales.org.uk/wp-content/uploads/2017/05/The-Right-Way-Education.pdf>

¹¹ <https://www.unicef.org.uk/rights-respecting-schools/>

“ *There should be more awareness of children’s rights so young people can identify if their rights are being violated, rights should be followed through into home life, with more rights integrated into school life.*¹² ”

- Young person, Student Ambassador, Wales

“ *More people should be aware of their rights and more should be done to access your rights and making sure you have access to these rights. When learning about rights in school it should be more detailed and better delivered to children and young people.*¹³ ”

- Young person, Race Council Cymru

Young people highlight that the UNCRC was written over 30 years ago. Since then, much has changed for children and young people, and the experience of childhood and youth is very different in 2020, compared to 1989. Specifically, the use of communication technology has changed dramatically over the years, with the way young people connect and share online being part of everyday life now. As such, the young people questioned if the UNCRC adequately protects young people in today’s digital world.¹⁴

Young people suggested that rights-based education should start in the early years and should continue throughout school life with dedicated rights-based lessons.¹⁵

“ *How can it be that there are still governments in countries that are made up of adults who ignore the best interests of children when they are making laws and decisions? What hope do they have for the future of their country, for the future of our planet, for the future of humanity, if they seek to ignore the needs and wishes of the children in their care? I ask you these questions, and with respect, I expect you to listen. I may be a child, I may be small, but I know that I have a voice and my voice matters.*¹⁶ ”

- Young female, NI

Young people are also aware of the impact of incorporation of the UNCRC on mental health provision:

“ *...but school counselling is only provided by the Department of Education (in Northern Ireland) for post-primary pupils. That means that younger children in our school who have problems like illness, disability or death in their family have nobody to talk to. That can’t be right. If the UNCRC was a law then maybe everyone would get this.*¹⁷ ”

- Young male, NI

¹² UNCRC Reporting survey with special interest groups, Children’s Commissioner for Wales, 2020

¹³ Ibid

¹⁴ Young people from VOYPIC (Voice of Young People in Care) NI, 2020

¹⁵ Youth Justice Voices, Scottish Throughcare and Aftercare Forum (Staf)

¹⁶ [Children and Young People’s Summit, NICCY, 2019](#)

¹⁷ Ibid

And a young person with special educational needs said:

“

Rights build you up so you can be the best you can be.

”

- Young male, MENCAP NI

Child Rights Impact Assessment (CRIA)

Young people said that using Child Rights Impact Assessments (CRIAs) is an important way to hold government to account. They recommended that a CRIA should be done on any piece of legislation or policy that might have an effect or impact on lots of children and young people ensuring that they are involved. The age of children shouldn't be a barrier to participating in a CRIA. To help children and young people undertake their own CRIAs the Children and Young People's Commissioner in Scotland's young advisers said that information about the UNCRC, guidelines on rights-based participation and providing examples of previous CRIAs would be helpful.¹⁸

“

I think it is important that children and young people are involved in impact assessments you can't do something about children and young people without having children and young people involved. If you put it the other way what about if children and young people are writing about adults, you obviously have adults input so it shouldn't be different the other way about.

”

- Young female, CYPCS Young Adviser, Scotland

“

Be prepared to put into action what people have said so that it is not just a box ticking exercise.¹⁹

”

- Young male, NICCY Youth Panel, NI

Covid update

There was concern expressed by young people in relation to the recent situation where predicted grades have been used in place of exams due to Coronavirus restrictions. They felt that this is an example where their rights have not been properly considered by decision makers.²⁰

Due to state failure to undertake CRIA during the Covid pandemic CYPCS did an Independent Children's Rights Impact Assessment on the Response to Covid-19 in Scotland and an accompanying children's version.²¹ This highlighted the failure by the Government to involve children and young people in decision-making.

¹⁸ CYPCS young advisers

¹⁹ Child Rights Impact Group, NICCY Youth Panel

²⁰ Ethnic Minorities and Youth Support Team, Wales

²¹ <https://cypcs.org.uk/coronavirus/independent-impact-assessment/>

General principles

The four general principles of the UNCRC - non-discrimination, best interests of the child, right to life, survival and development, respect for the views of the child - help to interpret all the other articles and play a fundamental role in realising all the rights in the UNCRC for all children.

Non-discrimination

Some children in certain groups continue to experience discrimination. In NI, more young people feel that we live in an unequal society as opposed to an equal society.²²

“

Keep everything equal - even if the child or young person is in care, disabled or ok everyone should have the same rights.²³

”

- Young person, NI

Children have expressed that they see racism as an issue in wider society where people are not afforded the equality they deserve, and that not enough is being done about racism. It was suggested that the UNCRC should explore what progress has been made on tackling racism and other issues that affect children from BAME backgrounds.

“

People just giving dirty looks, it's an automatic thing to them, they probably don't know they're doing it, but you really feel that you're looking out for them, and you feel really self-conscious...because you've experienced harassment and people shouting things.

”

- Young male, England

“

There's a lot of problems in society: racism, crime that should not be there. I don't know, it's just very unnecessary and I feel like, as a society, we all live on the same earth so we should just be kind to everyone. But there's so many problems that can't be solved because of people's thinking, and I don't know where it comes from, but it's just not needed.

”

- Young female, Wales

A young asylum seeker explained that, “Just because I am an asylum seeker, they underestimate whatever I do”. Additional difficulties for asylum seekers include accessing higher education, educational maintenance allowances and part-time work.²⁴

Children and young people with additional support needs can also be discriminated against. They think that it is important for schools to make sure that everyone understands and has a positive attitude about support

²² [Our Young People: Perceptions of the Outcomes Framework, 2019 Young Persons' Behaviour & Attitudes Survey, NI](#)

²³ NICCY Corporate Plan Consultation response, 2019

²⁴ Discussion with young people from Horn of Africa People's Aid, NI (HAPANI), 2020

needs like disabilities and mental health issues. They suggest teachers should have training on inclusion and the different types of support needs pupils may have and how this might affect them in school. Young people said it was really important for schools to make sure pupils with support needs had the same chance as other pupils to have a say in decisions.

“ *I do not think young people get heard by adults because adults just wipe off what young people are saying and do not do anything about it – unlike when adults are saying it.*²⁵ ”

- Young person with special educational needs, MENCAP NI

Young people are aware of the impact of poverty and social and economic inequality.

“ *Poor people like me are not treated as good because we can't go to loads of places.*²⁶ ”

- Young person, UNCRC Reporting survey response, Wales

“ *I think the social class and status of a child often plays a role. For example children from a better social class still tend to have better opportunities.*²⁷ ”

- Young person, UNCRC Reporting survey response, Wales

Respect for the views of the child

There is an acknowledgement that over recent years there has been an increase in the recognition and acceptance of children and young people's right to participate and have their voice heard in the decision making process. Legislators, government departments and statutory agencies have been increasingly acknowledging the UNCRC and the fact that, when listened to, children and young people can play a vital role in the planning and delivery of services.

However, it was also recognised that there was still a distance to go. Engaging with children and young people in public consultation is still erratic and often an afterthought. Engagement with children and young people in the development of legislation, strategies and policies is sporadic, inconsistent and often relies on the individual rather than on organisational practice.²⁸

In Wales, a [nationwide survey](#)²⁹ of rights in schools (2018) showed primary pupils felt they had better access to the general principles than those in secondary school: 68% of children feel welcome in their school; 72% had a chance to take part in decisions; 83% said teachers are interested in how they feel in school. For secondary school pupils, though, only 48% felt welcome in their school; only 42% said they had a chance to take part in decision-making and 51% said their teachers are interested in how they feel in school.

²⁵ [MENCAP NI](#)

²⁶ UNCRC Reporting survey with special interest groups, Children's Commissioner for Wales, 2020

²⁷ Ibid

²⁸ <http://www.crae.org.uk/media/128581/Just-for-Kids-Law-CRAE-submission-JCHR-inquiry-on-COVID-June-2020-FINAL-.pdf>

²⁹ <https://www.childcomwales.org.uk/wp-content/uploads/2018/10/Childrens-Rights-Survey.pdf>

Children with a physical or mental health conditions were much less positive, disagreeing that adults were good at taking their views into account when making decisions, compared to those without a health condition. The most commonly cited reason for why adults don't listen was "it doesn't fit with what they want to hear" or "they don't like their views being challenged."³⁰

Some young people reported that they didn't always feel that their opinions were heard or given enough weight when making decisions. For some, it appears to be a 'tick box' exercise, rather than a genuine attempt to involve them in making decisions.³¹

“I've had conversations with loads of adults, like family members, teachers, and it's really frustrating when they're so set in their ways that they won't listen to what we have to say, and then they complain all the time that we're trying to get them to understand our point of view but they're so adamant on their own. It's really hard because it's as if they still see us as children. Even though we may have all these experiences, they still see us as these little children that are still growing up, don't understand the world properly.”³²

- Young female living with HIV, England

”

Many care experienced children and young people highlighted that they hadn't felt listened to, or had their opinions respected or taken into account when it came to important decisions that impacted on their lives.³³

One boy shared that he would rather speak to other children than to adults:

“... just speak to the children instead of the adults. Like the adults in our eyes, they only know what they've been told, whereas the kids actually know what's like going on.”³⁴

- Young male in care, England

”

Some respondents mentioned ways they get their voice heard:

“The new law that states 16 year olds will be allowed to vote is a sign Welsh Government takes Article 12 of the UNCRC into consideration.”³⁵

- Young Person, UNCRC Reporting survey response, Wales

”

³⁰ <https://www.cypcs.org.uk/ufiles/Young-People-in-Scotland-Survey-2017---PDF-of-powerpoint-results.pdf>

³¹ VOYPIC NI: Children's Report to inform List of Issues Prior to Reporting (LOIPR) August 2020

³² <https://www.childrenscommissioner.gov.uk/publication/childhood-in-2020/>

³³ https://www.carereview.scot/wp-content/uploads/2020/07/ICR_Evidence_Framework_v2-1.pdf

³⁴ <https://www.childrenscommissioner.gov.uk/wp-content/uploads/2019/06/CCO-Advocacy-for-children-June-2019.pdf>

³⁵ UNCRC Reporting survey with special interest groups, Children's Commissioner for Wales, 2020

Covid update

During the period of lockdown and societal restrictions, engagement between decision-makers and children and young people was conspicuous mainly by its general absence. In “lockdown experiences” conversations³⁶ in England, children said that they would want their questions to be answered by decision makers, and noted that they could not submit their questions to the PM (Prime Minister) question time.

“

We want our questions to be answered.

”

- Young female, England

Across the Nations, many young people shared that they feel that their voice has not been considered as important and that they have not had a chance to articulate their ideas and have them considered by decision makers. Young people tell us that they can make a significant contribution to restarting our society by sharing their ideas, concerns and solutions for adapting how we live with, and after coronavirus.³⁷

“

After the Covid-19 crisis comes to an end, will you take the views of young people more seriously after the sacrifices and contributions we have made throughout it?

”

- Question posed by young person, NI

Children’s rights are more important than ever now but when asked about their ability to access their rights as a young person; over half of the respondents (58%) to a survey about how young people were experiencing lockdown stated that they had some concern over their rights.³⁸

³⁶ <https://www.childrenscommissioner.gov.uk/voices/lockdown-experiences/>

³⁷ [Our Voices Aren't in Lockdown', NI Youth Forum,\(2020\)](#)

³⁸ <https://www.youthlinkscotland.org/media/4486/lockdown-lowdown-final-report.pdf>

Civil rights and freedoms

Articles within the UNCRC are not upheld in isolation, for example, the inclusion of young people's voices are directly linked with other civil rights and freedoms found within the UNCRC. These rights have to be understood and implemented holistically. Together, they assert the status of the child as a subject of rights, entitled to exercise these rights on his or her own behalf. This includes respect for a young person to preserve his or her identity, including nationality. It also includes the right to freedom of expression, thought, conscience and religion, the right to hold and express opinions and to seek and receive information through any media.

Article 15, the right to freedom of association and peaceful assembly, is an important vehicle for promoting the right of children to express views and pursue the implementation of their rights. Children need to be able to meet with others, form their own associations and groups in order to develop and articulate their views and create spaces where these can be communicated to others.

Right to assemble

Some young people who identified as BAME had very mixed experiences of how they were treated by police - some felt they were treated differently because of their cultural background.

“ *Police are rude and disrespectful to me, every time I am in a big group, they assume we are up to trouble, they think I'm causing anti-social behaviour and make assumptions.* ”

- Young person, Race Council Cymru

“ *People think you are up to no good if you go out in large groups of gypsies.* ”

- Young person from Gypsy, Roma and Traveller Group, Wales

Children and young people have reported experiences across Wales with the Climate Strikes over the last year, with reports of some schools being supportive of action by pupils, while others responded with punitive measures. Some young people have organised rallies and found the police to be supportive if you can give them notice. A young person from the Race Council Cymru who attended a Black Life Matters protest shared, “*the police were very, very supportive*”.

Some young people in Wales who are rurally isolated explained that it was not so easy to campaign.

The use of “mosquito devices” to prevent children and young people from getting together outside shops, schools or railway stations continues to be an issue that concerns young people.

The use of a mosquito device is incompatible with the UNCRC that requires state parties to ensure that children are protected against all forms of discrimination or punishment.³⁹ Use of the device does not encourage young

³⁹ [Art 2.2, UNCRC](#)

people to act responsibly but presumes that they will not. It does not differentiate between young people who are engaged in illegal activity and those who are not.

In a recent study although most young people had not encountered one personally nearly half of those that had, experienced health effects or discomfort from encountering a device.⁴⁰

“ *Incredibly unpleasant, like a buzzing inside my head.* ”
- Young person, Scotland

“ *Mosquito devices do not create a sense of community but instead divide different generations.* ”
- Young person, Scotland

Climate justice

Throughout the UK, tens of thousands of young people took to the streets to protest the government’s lack of action on the Climate Crisis. 2019 saw over 850 demonstrations, including the September Global Climate Strike where over 300,000 people took to the streets across the UK.⁴¹

Like other young people across the UK, an estimated 5,000 children in Scotland took part in climate strikes in March 2019. They walked out of their primary and secondary schools to participate. Some politicians across the UK questioned whether children should leave school to participate in the strikes. Many pupils faced threats of punishment or disciplinary action for missing school. Some defended their position, stating that environmental activism was an educational experience in itself.⁴²

“ *It’s important to show everyone that we have to be listened to as it’s our future and missing one hour every week is worth it. We need to stand up and let the people in charge know that the planet is worth saving for future generations and wildlife.* ”
- Young female, Scotland

“ *If you still don’t understand how big this is, let me tell you something else that might wake you up a bit, whole islands, yes, that’s right, whole islands would disappear! Some people are ignoring this issue because they don’t believe that they alone can make a difference whereas others are ignoring it because they believe that if they ignore it, it’ll simply go away. Neither of these reasons have any truth in them.* ”
- Young female, NI

⁴⁰ <https://youngscot.net/antiloitering-devices-text-only>

⁴¹ <https://ukscn.org/>

⁴² <https://cypcs.org.uk/resources/human-rights-defenders-promote-protect-defend/>

⁴³ [Children and Young People’s Summit, NICCY, 2019](#)

Identity - Expression of religion and culture

Some young people in Wales were positive about being able to practice their religion and cultural practices.

“ *Yes, there has never been a time where we haven't been able to practice our religion and culture fairly.* ”

- Young person, Race Council Cymru

However, one BAME young woman talked about how she was shamed and challenged for wearing a Hijab by other pupils and told she should remove it, but when another pupil wore a cross on a chain the same pupil who taunted her stood up to the teacher and pointed out “*it's her right to follow her religion*”.⁴⁴

A young female asylum seeker from NI stated, “*No matter what you do, you'll always be labelled as a foreigner.*”⁴⁵

Information

Young people would like more information made available including more accessible information on where to go for advice and support identified by LGBTQ and Gypsy, Roma and Traveller groups; how to complain about school and how to find out about the UNCRC.⁴⁶

Covid update

Restricting children's civil rights and freedoms was a necessary response to a public health emergency but 'lockdown' has had an impact on children's ability to meet and freely associate with their families and friends.⁴⁷

“ *The biggest change is not getting to see your friends because I used to see my friends every day. It makes me feel sad because they made me laugh.* ”

- Young female, Scotland

⁴⁴ Young person from Ethnic Minorities and Youth Support Team group, Wales

⁴⁵ Discussion with young people from Horn of Africa People's Aid, NI (HAPANI), 2020

⁴⁶ UNCRC Reporting survey with special interest groups, Children's Commissioner for Wales, 2020

⁴⁷ <https://www.childrensparliament.org.uk/our-work/children-and-coronavirus/>

Violence against children

Governments must do all they can to ensure that children are protected from all forms of violence, abuse, neglect and bad treatment by their parents or anyone else who looks after them. There have been numerous initiatives developed by Governments and others to prevent and respond to violence against children but more needs to be done.

The human, social and economic costs of denying children's rights to protection are enormous and unacceptable. Direct costs may include medical care, legal and social welfare services and alternative care. Indirect costs may include possible lasting injury or disability, psychological costs or other impacts on a victim's quality of life, disruption or discontinuation of education, and productivity losses in the future life of the child.⁴⁸

Domestic abuse

All domestic abuse is underpinned by coercive, controlling behaviour and children repeatedly tell us about the on-going fear and toxic stress they have lived with in the home. Research shows that worldwide 1 in 4 children under the age of 5 live with a mother who has been a recent victim of partner violence.⁴⁹ The 2019 Vulnerability Report⁵⁰ found that in England 830,000 children live in households where domestic abuse has taken place within the last year. It is now recognised that living in a home where there is domestic abuse is an adverse childhood experience that, if not addressed, will have poor outcomes for young people.⁵¹

Listening to children and young people in itself is not enough, the Government must also take action based on what they say and play their part in improving the lives of children and young people affected by domestic abuse.

“ *It's not just adults that go through it, children suffer as well.* ”
- Young person, NI

“ *Sometimes we don't want to worry our mums. We hold it in and try and protect them because they have enough on their plate and that's not good either. It's good to have someone outside the family to support us, someone who isn't involved to talk to.* ”
- Young person, NI

“ *We all have the right to feel safe all of the time.* ”
- Young person, NI

⁴⁸ [CRC:General comment No. 13 \(2011\) The right of the child to freedom from all forms of violence](#)

⁴⁹ [UNICEF \(November 2017\) A Familiar Face, Violence in the Lives of Children and Adolescents.](#)

⁵⁰ <https://www.childrenscommissioner.gov.uk/report/childhood-vulnerability-in-england-2019/>

⁵¹ ['See, Hear, Act', A strategy for children and young people \(2019 – 2029\); Women's Aid NI Federation, Northern Ireland 2019](#)

Court proceedings

Children and young people said that having a say is really important when a court is making decisions about parental contact. They often felt that their views were ignored in contact proceedings and that filling in forms was hard. Some young people prefer talking face to face, communicating through playing, telling through drawing, building Lego, saying what you feel in a video or through a voice recording. They also needed to know in language they could understand what decision was made, why the decision was made and what it means for them.⁵²

“*The sheriff never met Zayne and Mia (characters in a story). Why should she get to decide? Grace (the support worker) should decide because we trust her.*”

- Young person, Scotland

Abuse and neglect

Throughout the UK, 5% of under 11s and 13.4% of 11–17s experienced severe maltreatment by a parent or guardian during their childhood.⁵³

The most recent ‘Characteristics of Children in Need Report’⁵⁴ from 2018/19 shows that in 2019, 54% of children in need at 31st March had abuse or neglect recorded as their primary need identified at assessment. This compares to 53% 2017/2018 and 49% in 2015.

Over 2 million children in England are living in families with complex needs, including those living with domestic abuse; parental substance misuse (alcohol or drugs) and parental mental health issues. It is estimated that there are 100,000 children living in households where all three of these issues are present.

“*Towards the end you just get so numb...You’re just, it’s like you accept it. I learnt to accept it, if this is going to be my life then there’s no point in me complaining about it if I can’t do anything about it.*”⁵⁵

- Young female living in a household with complex needs, England

Children spoke about the impact the environment they were living in had on them:

“*In my head I kind of blamed myself – I shouldn’t have spoken about it – and it was my fault –with all these people coming and asking questions.*”

- Young female living in a household with complex needs, England

⁵² Power Up, Power Down, CYPCS and Women’s Aid <https://womensaid.scot/project/power-up-power-down/>

⁵³ <https://learning.nspcc.org.uk/media/1042/child-abuse-neglect-uk-today-research-report.pdf>

⁵⁴ <https://www.gov.uk/government/statistics/characteristics-of-children-in-need-2018-to-2019>

⁵⁵ <https://www.childrenscommissioner.gov.uk/wp-content/uploads/2018/08/Are-they-shouting-because-of-me.pdf>

“ *I knew that I was depressed. And I was just like, that’s normal, a lot of people have depression and anxiety, especially seeing as I’m going through this at home, I just expected it. But then it slowly kind of just got worse and worse. I would be bedridden for a lot of the time, I wouldn’t go out on weekends, and I’d just stay home. The only time I’d get up was to go to the bathroom. Sometimes I wouldn’t eat... I was self-harming and stuff and yes, I was doing harmful things to myself.* ”

- Young female living in a household with complex needs, England

Bullying

Many children in certain groups, including BAME children, children with additional support needs and LGBTIQ+ children continue to experience discrimination and stigmatisation. In a Scottish report, almost 50% of LGBTIQ+ young people said that they were aware of instances where others had been bullied and over half this number reported that the bullying was due to a person’s sexual orientation or gender identity.⁵⁶

“ *Socially, young people from minority groups (LGBT+, immigrants, people of colour) aren’t always treated equally by others. Schools need to do better to moderate homophobic and xenophobic language.* ”

- Special interest group survey response, Wales

Gangs and paramilitaries

Young people can be drawn into gangs for lots of different reasons. Some of these include fitting in with friends and other gang members; feeling respected and important; to be protected from bullying or from other gangs; making money from crime or drugs and gaining status and feeling powerful.

There has been a rise in the number of children who have been victims of knife crime, and many are exploited sexually or criminally, or groomed into gangs. The 2019 ‘Keeping children safe’⁵⁷ report shows that in England 27,000 children are members of gangs. Children do not enter gangs voluntarily, but gangs exploit a child’s situation, e.g., when a child is excluded from school, gangs make it seem that their only future prospect is to join them.

Young people from areas in NI that experience paramilitary violence expressed feeling fearful and unsafe in their communities, hearing regular stories of people in the area being attacked, or witnessing the aftermath of such attacks themselves. In a recent study⁵⁸, more than 2 in 5 (43.6%) agreed or strongly agreed that paramilitary groups created fear and intimidation in their area. Because their everyday activities would come to the attention of paramilitaries, some young people spoke of a lost childhood. This was because many activities associated with being young (hanging about, messing about, being loud, drinking etc.) were defined as ‘anti-social’ by paramilitaries.⁵⁹

⁵⁶ <https://www.lgbtyouth.org.uk/media/1734/life-for-lgbt-young-people-in-dumfries-galloway.pdf>

⁵⁷ <https://www.childrenscommissioner.gov.uk/report/keeping-kids-safe/>

⁵⁸ [The Mental Health of Children & Parents in Northern Ireland Results of Youth Wellbeing Prevalence Survey, Oct 2020](#)

⁵⁹ [Experiencing Paramilitarism: Understanding the Impact of Paramilitaries on Young People in Northern Ireland, QUB \(2018\)](#)

“ *I don't understand also because ... the paramilitaries make the young people sell the drugs, and then the young people maybe get into debt, and what happens if young people don't pay them the money they are owed, and then the paramilitaries would beat the s**t out of them ... the boy who they gave the drugs to sell in the first place.* ”

- Young female, NI

Restraint and seclusion

Restraint means holding a child or young person to stop them from moving and seclusion means shutting a child somewhere alone and not allowing them to leave. Restraint and seclusion are both forms of physical intervention. Young people used words like scared, anxious, sad, unloved, confused and useless when asked how restraint and seclusion might make a child feel. The Scottish Commissioner's investigation 'No Safe Place' focussed on local authority guidance around restraint and seclusion. For children who are regularly placed in seclusion, the impact on their education and consequently their future can be profound.⁶⁰

Comprehensive guidance on limiting the use of isolation as well as restraint is lacking, whilst there are worrying reports of children, especially in special provisions, who are being subject to restraint that causes pain.

“ *...anytime you restrain or seclude a child there is a significant, you know, emotional impact on that child. And I think that's what we need to balance out. We need to balance out a potential threat that the child poses to others and the damage that would be caused to the child. You know, so if there are none of those factors present, if they're just being disruptive, and if they're just no doing what they're told, then it's, that damage which was caused to the child is in no way, yeah, it's not justifiable.* ”

- Young person, Scotland

Children have raised concerns that their views are not being listened to or taken into account on issues of restraint and seclusion in schools.

“ *People with disabilities are meant to be treated equally. Teachers are meant to recognise the signs of autism and find the best ways to support and help their pupils.*⁶¹ ”

- Young person, Scotland

⁶⁰ <https://www.cypcs.org.uk/ufiles/No-Safe-Place.pdf>

⁶¹ Ibid

In the Commissioner for England's recent work on 'children deprived of liberty'⁶², young people tell us about what it is like for them to be restrained:

“ *They would grab me and I'd instantly start screaming my head off because I'm straight back to that place that I don't want to be at. They grab you and it takes a lot of people for me to be restrained... I don't even remember half of what happens. It just comes over me.* ”
- Young female, England

This experience was further intensified for those that had endured an intramuscular injection:

“ *When you know those nurses are coming into the room it's a wave of terror because you know that it's happening and I do everything I can but when there's like seven people on top of you trying to hold down each limb of your body, it's the worst thing.* ”
I just cry – don't do it
- Young female, England

Staying safe online

For the majority of children being online is part of their every-day lives, and most children see it as a positive. But, some children have also told us that they feel like social media is interfering too much in their lives:

“ *For me, I deleted my social media because I realise I'm not happy, and I used to compare myself to a lot of girls on Instagram as well, but now I've deleted it, I feel much happier with myself.*⁶³ ”
- Young female living with HIV, England

Three quarters of 10-12 year olds in the UK have a social media account. The Children's Commissioner for England's 'Life in Likes'⁶⁴ work in 2018 showed that many 11 and 12 year old children find social media hard to manage and become dependent on 'likes' and 'comments'. They feel pressure for their offline behaviour to change to fit their online image, with children being anxious about keeping up this image.

“ *If you don't have designer and expensive things people will make fun of you.* ”
- Young female, England

⁶² Upcoming work, Commissioner for Children, England

⁶³ <https://www.childrenscommissioner.gov.uk/wp-content/uploads/2020/03/cco-childhood-in-2020.pdf>

⁶⁴ <https://www.childrenscommissioner.gov.uk/report/life-in-likes/>

93% of children aged 10 to 16 in the UK play video games⁶⁵. Children see gaming as a form of play, and also as a means for online social interaction.

“ *I can chat to all my friends when they’re not actually with me... or if they just want to tell me stuff in private.*⁶⁶ ”

- Young female, England

But, children also expressed negative experiences of online gaming. Children felt that there was a need for them to spend money online to make sure their online characters are perceived positively. Children also mentioned feeling frustrated and being bullied. They also said there was a risk of being contacted by strangers online, for example being scammed into providing personal information. Some children also said that they were spending a lot of time online playing games and some felt they were addicted.

“ *It’s like gambling - you could lose your money and not get anyone good, or get someone really good.* ”

- Young male talking about ‘loot boxes’⁶⁷, England

When young people were asked what would be helpful in keeping safe online⁶⁸, the most popular choice was ‘making sure young people know who to trust online’, followed by ‘teaching young people about being kind online and on social media’. Making sure teachers take bullying seriously and having more information for parents on how to tackle bullying online were also the priorities for young people.

In the Commissioner for Children in Wales’ [Don’t Worry, I’m Here for You](#)⁶⁹, report, key messages from children and young people on cyberbullying were that they wanted to be involved in ways of promoting positive behaviour online; that there should be peer-led initiatives; and that they often lacked confidence in adult’s knowledge of the online world. One child explained that when confronted with the extent of bullying online:

“ *Adults are shocked and powerless, they don’t know what to do.* ”

- Young person, Wales

⁶⁵ <https://parentzone.org.uk/system/files/attachments/The%20Ripoff%20Games%20-%20Parent%20Zone%20report.pdf>

⁶⁶ <https://www.childrenscommissioner.gov.uk/report/gaming-the-system/>

⁶⁷ Loot boxes offer players a chance at a randomised reward when opened. Boxes can often be bought for real money, and the rewards can sometimes be traded.

⁶⁸ Beth Nawr, 2019, Children’s Commissioner for Wales

⁶⁹ <https://www.childcomwales.org.uk/wp-content/uploads/2019/04/Dont-Worry-Im-here-for-you-childrens-experiences-of-cyberbullying-in-Wales.pdf>

Covid update

The conditions created by COVID-19 have increased the likelihood that both stress and vulnerability will rise, at a time when the protective services normally provided and relied upon have been weakened, and families have reduced social support and connections to rely on. Many parents and carers have faced financial insecurity, alterations to their routine, and the juggling of multiple responsibilities including work, full-time childcare and care for family members who may be shielding or ill.

A majority of children and young people tell us they feel safe at home.⁷⁰ However, some children and young people have shared with us concerning family pressures, which they felt had been exacerbated by lockdown:

“

Lockdown made my primary household (my dad's) incredibly more hostile.

- Young person, Wales

”

“

I hate hearing my dad's loud voice and him talking to his friends and complaining about us all the time. We don't do anything wrong. I want to leave the house as soon as I can but I can't and there is nowhere to go.

- Young person, Wales

”

Childline reported a 22% increase in counselling sessions about child abuse, and a 53% increase in contacts from people with concerns about children experiencing physical abuse comparing April - July 2020 with January - March 2020.⁷¹

Whilst being online has offered many benefits to children during the pandemic, such as online learning, staying in touch with friends, and other online activities, there are early signs that online child abuse increased during this period. Numbers by the National Crime Agency⁷² show that during the initial period of 13 weeks of lockdown, compared to the same period in the previous years, there was a 10% increase in cases of online child sexual abuse passed to police.

Domestic abuse is of particular concern during the current pandemic. Calls to the National Domestic Abuse Helpline⁷³ went up 80% in June (2020). Referrals through school, through GPs, through other professionals, decreased as services moved online or closed.

Children in households where there is domestic abuse do not just witness this abuse, they experience it in a very real way and the impacts can last into adulthood. Being in lockdown meant being confined to homes, with those in our household, almost 24 hours a day. Homes may not be a safe place for many children. Lockdown has had a specific negative impact on many women and children who were experiencing, or who had experienced, domestic abuse.⁷⁴

⁷⁰ [Coronavirus and Me survey](#), Commissioner for Children, Wales (2020)

⁷¹ <https://learning.nspcc.org.uk/media/2292/impact-of-coronavirus-pandemic-on-child-welfare-physical-abuse.pdf>

⁷² <https://www.nationalcrimeagency.gov.uk/news/onlinesafetyathome>

⁷³ <https://www.nationaldahelpline.org.uk/>

⁷⁴ [A Perfect Storm: The Impact of the Covid-19 Pandemic on Domestic Abuse Survivors and the Services Supporting Them](#) Women's Aid (2020)

Family environment and alternative care

Family life is meant to ensure children and young people’s growth, well-being, protection, support and care, promoting their fullest potential. For a young person to be an empowered citizen, the state must both support the family and provide assistance to families who find themselves in a vulnerable situation.

If a young person is no longer able to live with their family, alternative care should be arranged with respect to their best interests. This should be as close as possible, as appropriate, to a young person’s usual place of residence. In principle, there should be continuing contact with family and friends and with the possibility for the child or young person to go back to their family.

Throughout the four nations, young people had both positive and negative thoughts to share.

Young people in care

In discussion⁷⁵, some young people said that they felt safe and protected in care, but noted that this is not true for all young people in care. The young people noted the importance of ‘good’ foster carers and the positive impact of stability in their homes. Some of the young people voiced concerns for the way care is structured, noting that *‘not everyone is protected and cared for equally’*⁷⁶. The different types of care arrangements (kinship care, foster care, residential care homes) can lead to different experiences of care for young people.

The Care Review⁷⁷ in Scotland listened to the experiences of over 5,500 people, more than half were children and adults who had been ‘in care’. It calls for a reorganisation of how Scotland thinks, plans and prioritises for infants, children young people and families. The change needed is based on five pillars, Voice; Family; Care; People; Scaffolding.⁷⁸

Relationships are fundamentally important to children and young people in care. Care experienced children and young people said that the quality of those relationships was the factor that had the greatest influence on their lives both within and beyond the ‘care system’. Some found it difficult to create and maintain friendships in the same way as young people not living in care and were critical about how they were treated in comparison to other young people.

“ *Normal life that young people can have doesn’t apply to young people in care. Risk is not managed, it’s avoided.* ”

- Young female, VOYPIC, NI

“ *I can’t stay in a friend’s house, I need permission from my social worker and a police check of the parents that I’m staying with, not like normal teenagers.* ”

- Young female, VOYPIC, NI

⁷⁵ VOYPIC NI: Children’s Report to inform List of Issues Prior to Reporting (LOIPR) August 2020

⁷⁶ Ibid

⁷⁷ Independent Care Review Reports <https://www.carereview.scot/conclusions/independent-care-review-reports/>

⁷⁸ The Promise (2020) Independent Care Review https://www.carereview.scot/wp-content/uploads/2020/03/The-Promise_v7.pdf

Care experienced young people had varied experiences of support. Many children and young people expressed frustration at the lack of support they had received from their social worker.

“ *I am terrified of adults calling social services. I would literally die. It would make things 100 times worse.* ”
- Young person from Gypsy, Roma Traveller group, Wales

“ *Social services said there was supposed to be a home check every 6 weeks but there never was. They need to work together with CAMHS (Child and Adolescent Mental Health Services) – not one or the other.* ”
- Young person from Mental Health Inpatient Ward group, Wales

Children tell us it is difficult for them when their social workers change a lot. It makes it difficult to build up a relationship with someone, and to feel respected.

“ *Social workers changing all the time, having to tell my story again and again.* ⁷⁹ ”
- Young female, England

Children in care also tell us about the difficulties for them with bureaucratic processes stopping them doing things that are easier for other children.

“ *There is only one thing that really annoys me, is that social workers cannot get letters back to school in time. When I ask my social worker can I go on a trip she says that she needs to ask her boss but it takes them ages and then the following time I see her I ask have you sent the letters or not, she says I still need to ask my boss... I have asked a lot of people to sort this out, nothing has happened.* ”
- Young person, England

Some had positive experiences of support from social services:

“ *As long as we are open we get the support we need.* ”
- Young person from Young Voices Speak Out group, Wales

⁷⁹ Source: IMO campaign

There was concern about young people who are transitioning from care into the community. We know that many children are not clear about their rights and entitlements as care leavers and how to realise and access them. Young people expressed concerns over the need for more support for care leavers when they turn 18 and the safety of leaving care and being placed in unsafe accommodation like B&Bs.

“ *They shouldn't be in a situation where they are so vulnerable.* ”
- Young person, Community Ambassador, Wales

“ *There's a lack of planning ahead and preparation for going out on your own.* ”
- Young female, VOYPIC, NI

“ *Having to move out on your 18th birthday (when in semi-independence) is absolutely unacceptable. Whilst all my friends will be partying, I will be packing my bags to leave my home. Do something about this!* ”
- Young female, England

Recent research by the Children's Commissioner for England shows that the numbers of children in care, primarily teenagers, housed in so called unregulated accommodation are growing.⁸⁰ These rises in numbers are due to pressures on council budgets, an increase in the number of teens entering care and a lack of suitable placements. Unregulated settings are intended to act as a stepping stone between care and independent, adult life, generally used for 16 year olds and older, but they vary in type of accommodation.

Evidence suggests that children in unregulated accommodation are more likely to experience instability and placement moves, and are more likely to go missing than other children in care. Many children shared that unregulated accommodation was not suitable for them, as they had complex needs that they were not supported with. But, young people had both positive and negative experiences in unregulated accommodation:

“ *I was living in a different semi-independent before. It was horrible in there. My relationship with staff wasn't good ... they didn't give me any support, I didn't feel like I had anything. Sometimes there was no food and that. Here when I'm spending money on things I shouldn't, staff supervise my shopping to make sure we have what we need.* ”
- Young female, England

Young people shared experiences about how financial support is slow to come through, that they are not being given enough allowance or they are being refused it outright. Others spoke about their experiences of not having enough food to eat, money to wash clothes or buy school uniforms and of how they are perceived by others as a result.

⁸⁰<https://www.childrenscommissioner.gov.uk/wp-content/uploads/2020/09/cco-unregulated-children-in-care-living-in-semi-independent-accommodation.pdf>

Stigma played a pivotal role in how challenges and opportunities presented themselves to those in care at any given point in their lives. It was talked about in relation to family, mental health, identity, location, housing, the ability to forge and maintain relationships, education and accessing services.⁸¹

“ *I felt that I was never listened to. At times, it was like my opinion was never heard by the social work or the children’s panel when I tried to express my feeling about moving back in with my mum. They always made decisions regardless of how I felt about it.* ”

- Young person, Scotland

Children and young people have expressed concern about being made to leave their foster home or children’s home at short notice and against their will. Children and young people feel their opinion and wishes are not being taken into consideration. The Children’s Commissioner for England’s recent “Pass the Parcel”⁸² report heard from children in care about how they felt about their placement moves and being placed out of area.

“ *I feel like a parcel getting moved around all the time.* ”

- Young female, England

“ *My social worker just dumped me here and drove off.* ”

- Young female, England

“ *You lose everything being in care.* ”

- Young person, placed 8 hours away from home, England

⁸¹ https://www.carereview.scot/wp-content/uploads/2020/07/ICR_Evidence_Framework_v2-1.pdf

⁸² <https://www.childrenscommissioner.gov.uk/wp-content/uploads/2019/12/cco-pass-the-parcel-children-posted-around-the-care-system.pdf>

Young carers

Young carers can have diverse experiences, with a mixture of positive and negative feelings. Young carers in general often felt more positively about their caring responsibilities than negatively - indicating that caring can provide some with a sense of worth and resilience.⁸³

“ *Coping with being a young carer is difficult yes, but I feel proud that I’m making sure my family are okay.* ”
- Young carer, Scotland

“ *My dad works quite a lot, which is why I have a big responsibility in helping to care for my mum, who has epilepsy. I am proud that I have got to the same place as my friends and I am doing well, despite everything that I’ve dealt with. All I want to be able to do is help other young carers to get the support they need.* ”
- Young male carer, NI

“ *Being a young carer isn’t a bad thing if anything it’s shaped me to be the person I am today, yes it might have been an unconventional journey and still has some rocky paths ahead but I wouldn’t change it for the world.* ”
- Young female carer, England

Another talked about the importance of peer support:

“ *Like to socialise with people in the same situation as me.* ”
- Young carer, Action for Children, NI

⁸³ <https://www.cypcs.org.uk/ufiles/CopingWithCaring.pdf>

Safe environment

In Wales, the 'A Plan for all children and young people' report⁸⁴ identified that safety within families and communities was commonly discussed, with younger children discussing the centrality of family and safe play in the community. In forthcoming work from the English office, children and young people talked and thought a lot about what feeling safe means to them, what doesn't make them feel safe, and how they could feel safer: and some children had developed their own strategies for feeling safer.⁸⁵ Children thinking about safety can be reflected across all nations.

“ *I normally put my keys [in between my fingers] ... I put them here in case anything happens.* **”**
- Young female, England

One young person responded to the question, “Do you live in a safe environment?”

“ *Yes mostly but there are stabbings in our neighbourhood.* **”**
- Young person from Race Council Cymru, Wales

In workshops with BAME young people, there were mixed feelings about safety for themselves and their families.

“ *...supported accommodation /housing doesn't always feel safe where I live but police do come and break up fights.* **”**
- Young person from Ethnic Minorities and Youth Support Team, Wales

“ *The council do not care about our safety or wellbeing as they would otherwise get rid of people who take drugs in the park where I live – this is only acceptable in [area of city], if it was in another more affluent area of [city] they would have taken action by now.* **”**
- Young person from Special Interest group survey response, Wales

⁸⁴ <https://www.childcomwales.org.uk/wp-content/uploads/2019/04/Three-Year-Plan-19-22.pdf>

⁸⁵ Forthcoming work, Children's Commissioner for England

Children of prisoners

Children with a family member in prison face a number of challenges such as having to grow up too fast, growing up with violence and dealing with stigma and secrecy. Coping with these issues on a long-term basis ultimately had a negative effect on their emotional and social wellbeing.⁸⁶

“

When you have this situation at home, you don't really want to let everyone else know about it... You just naturally learn not to tell people. You just get used to telling lies, like 'white lies' you could call them, and hide the fact that your dad is away in prison.

”

- Young female, Scotland

Children invisible in statistics and to services

There are many children who are 'hidden' within official statistics – children who may be vulnerable whose needs are not identified or recognized in policy, children being off-rolled or home educated⁸⁷, children turned down for CAMHS support⁸⁸, children deprived of liberty in non-secure settings and children associated with gangs who are not known to any professionals⁸⁹; none of these children can be seen in any official statistics.

“

How can a kid who is 14 live on the streets for a year and a half? Where were Social Services at that time? Why did no-one come and get me and put me in a care home?

”

- Young male in the youth justice system, England

Family proceedings

Children and young people's participation in Family Court processes and procedures is by its nature stressful. The reason why they are there is through no fault of the child or young person but rather because of disputes between parents or because the child or young person is at risk of suffering harm in their parent's care.

Young people were concerned that their personal details - even anonymised - are potentially going to be available in the media, both mainstream and social. There was concern that people could be identified (sometimes wrongly) from information given and that peers were always trying to piece things together from information in the media. This could lead to more problems dealing with rumours for young people who have been in Family Courts.⁹⁰

“

Absolutely no benefit.... highly intrusive. The issues don't affect the general public in any way – what's the purpose of it? Why do people want to know?

”

- Young person, NI

⁸⁶ <https://www.familiesoutside.org.uk/content/uploads/2019/04/In-Brief-13-digital.pdf>

⁸⁷ <https://www.childrenscommissioner.gov.uk/report/skipping-school-invisible-children/>

⁸⁸ <https://www.childrenscommissioner.gov.uk/report/the-state-of-childrens-mental-health-services/>

⁸⁹ <https://www.childrenscommissioner.gov.uk/report/keeping-kids-safe/>

⁹⁰ [Advice of the Commissioner for Children and Young people, Northern Ireland to the Civil and Family Justice Review \(2016\)](#)

“ *I would not be comfortable with that. If I knew it was about me, other people close and not so close would also know it is about me. What would that mean for my future? Even though the article might not say my name it wouldn't take long for people to figure it out.* ”
- Young person, NI

Children with military parents

Armed forces families encounter unique experiences and challenges that can potentially affect each family member and the family as a unit.

A consultation with 115 children of armed forces personnel from Wales explored the impact of having to move home and school regularly, and having parents deployed. 41% making negative comments about leaving a school, teacher or friends; 51% making negative comments about leaving friends / family; and 62% made negative comments about their emotions (sad, angry). The most popular response to who helped them deal with their emotions when parents were deployed, and with moving school, were friends and other Service children.⁹¹

Children and young people voiced some of the pressures on family relationships that they have experienced⁹²; and the Children's Commissioner for England reported⁹³ that the experiences of children growing up with a military lifestyle were different from their peers.

“ *My father is hardly at home and this has caused problems in the past.* ”
- Young person, Scotland

“ *Being able to have the same relationship with my dad as I have with my mum.* ”
- Young person, Scotland

“ *I've moved nearly every two years. I've never finished a school! ... I've just been moving around a lot with my family, I moved from Germany to Northern Ireland, Northern Ireland to England, so I've moved houses so many times.* ”
- Young female, England

⁹¹ [https://www.sscecymru.co.uk/files/SSCE%20Cymru%20-%20Listening%20to%20our%20Service%20Children%20\(2020\)%20findings%20\(E\).pdf](https://www.sscecymru.co.uk/files/SSCE%20Cymru%20-%20Listening%20to%20our%20Service%20Children%20(2020)%20findings%20(E).pdf)

⁹² Evidence from children and young people in Armed Forces families, Royal Caledonian Education Trust (RCET)

⁹³ <https://www.childrenscommissioner.gov.uk/wp-content/uploads/2018/06/KIN-AND-COUNTRY-Growing-up-as-an-Armed-Forces-child.pdf>

“ *My Dad's been away for two years once and he went to Afghanistan as well and it was only me and my Mum before my brother came and my brother was born while my Dad was still away. So he didn't have a Dad for six months until he came back.* ”

- Young male, England

Despite challenges, children felt proud of their parents' involvement in the military:

“ *It's hard when my Dad goes away, but it makes me very, very proud hearing about his job. I like telling people that my Dad's in the Navy.* ”

- Young female, England

Covid update

Children and young people shared their thoughts on being at home with family. While some spoke about fun things they did, some others wrote about arguing with their family.

“ *Being stuck in one place with everyone at home arguing all the time.* ”

- Young male, England

“ *Some of the things I've been doing while I've been off school are watching the whole of Netflix and every tiktok that lives. I have learnt new skills like cooking.* ”

- Young person, England

Young people living in care shared that 'boring' was by far the most common description of young people's feelings. Like other children, they were eager for the lockdown to ease, yet also accepting of the current circumstances and the importance of staying inside to protect others, although as time progressed they were growing tired of restrictions and were keen to see their friends.⁹⁴

“ *It's not just people in care, it's everyone. You've just got to put up with it haven't you?* ”

- Young female living in care, England

⁹⁴ <https://www.childrenscommissioner.gov.uk/2020/05/22/lockdown-experiences-young-people-in-childrens-homes/>

Disability, basic health and welfare

All children and young people should be supported to achieve their full potential and ensuring that their basic health and welfare is paramount is vital in achieving this. Children and young people face many challenges including mental health issues, poverty and the impact on standard of living. Children with disabilities face additional challenges alongside all the other issues.

Children with disabilities

The UNCRC recognises the vulnerability of disabled children highlighting that they should live as full a life as possible and that there is a requirement for government to do all they can to support disabled children and their families.

Young people expressed how positive it can be when services work together or when they are supported in the right way:

“ There’s lots of help in school. A good Social Worker, who is helpful and is always in contact, so that I always know what’s happening.”⁹⁵

- Young person, Wales

Young people with learning disabilities and their parents and carers told us that they wanted to be more involved in planning for their own care and that they wanted services to work together.⁹⁶

Young people also shared that they thought all children and young people should enjoy rights equally, however, they raise points about unequal access to transport, services and facilities and less likelihood of being listened to.⁹⁷ Children with special educational needs and disabilities spoke about delays in accessing health and social care.

“ I’ve been in and out of hospital all my life and I’ve had two operations recently and the waiting was really bad because I just couldn’t cope with the waiting situation. I had the operations to save my life which is a big thing and then managed to get much better.”

- Young person with SEND, England

Young people felt that they were not always listened to or taken seriously. Some felt that when you had a learning disability you were even less likely to be taken seriously or listened to by adults.

“ I had another doctor phone me about it after like one of those e-consult things, and this other doctor phoned me and I was just getting more and more annoyed because he wasn’t listening to anything I was saying.”

- Young person with SEND, England

⁹⁵ [Don’t Hold Back report](#); Children Commissioner for Wales, 2018

⁹⁶ Ibid

⁹⁷ MENCAP NI

They shared whilst most children get support, disabled children do not get enough support and that wasn't right. They recommended government should do something about this immediately, so all children and young people have equal access to education and have the opportunity to fulfil their full potential.

“ *More jobs for young people. It is hard to find something that is right for you. People need more support in finding jobs.* ”
- Young person, Mencap NI

They thought that educators should be better aware of the needs of children with disabilities.

“ *Educating teachers and classroom assistants in IT and learning disability awareness, so that they can better help pupils with a learning disability.* ”
- Young person, Mencap NI

One young person shared that they have been unable to get transport to college. They got a letter telling them they are not entitled to transport.

“ *They talk to this person like a child which is debilitating and dehumanising. People with a disability can be treated like a child rather than someone of their own age. Something should be done about this.* ”
- Young person, Mencap NI

Deaf young people said that they didn't know how to access support for their mental health. They did say that they knew how to access other forms of health care but that sometimes there are problems accessing the interpreters that they need.

“ *Going to the GP can be difficult though, as sometimes the interpreter doesn't show up, which means that the appointment needs to be rescheduled. Obviously this is not okay as it can have an impact on my health.* ”
- Deaf young person, Scotland

“ *I was unwell so I phoned NHS24. They asked me questions over the phone which I couldn't hear well. I had to ask my mum to help me but I really wanted my privacy and not have her involved at all. I had to do it though as otherwise, I would not have received any help at all.* ”
- Deaf young person, Scotland

Mental health

Throughout the four nations, mental health was identified as one of the most pressing issues young people were concerned about, with calls for more support and better services. Young people in Scotland recommended that there should be a national standard for mental health in places where children and young people learn.

“ In my experience you get support when you’re in crisis not before...It’s especially hard for me as a trans young person because it’s so hard to get to the children’s clinic. ”

- Young person from LGBTQ Youth Cymru group

Young people identified barriers, such as ‘feeling ashamed’, to accessing mental health support, as they felt unable to speak to parents and wouldn’t know where to go for help.

“ I talked to a teacher once about how low I was feeling and they wanted to make it all positive. I didn’t want to feel positive I wanted to be heard. ”

- Young person from Gypsy, Roma and Traveller group, Wales

“ ...the one thing I would change is the stigma and stereotype that accompanies getting help for mental health, that u need to be a loner or self-harming or have an awful life experience for it to be considered normal or acceptable to get help with mental health... ”

- Young person, NI

There are severe delays in mental health services and a lack of community provision, especially for children and young people with additional needs such as alcohol and drug problems or learning/development disabilities.

“ My parents really had to fight to get access to relevant services. It took 4 years before I finally saw someone who helped. I felt that because I wasn’t saying that I was going to harm myself that services couldn’t help – unless I got to that point. ”

- Young person, NI

“ I was not listened to at all, the psychologist cut me off and made a decision about my treatment based on other young people my age and their experiences and what she thought would suit my AGE not my NEEDS. ”

- Young person, NI

The need for more support for mental health and wellbeing in schools was highlighted by young people who felt that there is a lack of awareness for pupils and staff and a lack of resources for mental health support. In

a recent survey in England, asking almost 2,000 children what they would like to see changed to improve children's life, 43% of all children - as the most common answer chosen - said "If all children could talk to someone at their school if they feel worried or stressed to help them look after their mental health."⁹⁸

“ *It is a struggle to get support from our schools and other places mostly because of lack of money and /or available resources in our area.* **”**
- Young person, Special interest group survey response, Wales

“ *Prevention is key – to intervene before things get severe. Have been turned away from lots of services as told ‘not ill enough’.* **”**
- Young person from Mental Health Inpatient Ward group, Wales

Young people thought that there should be more training and education for professionals so that they were equipped to support children and young people.⁹⁹ Some young people felt that there needs to be more awareness of mental health needs of young people amongst the medical profession.

“ *I know there is a high amount of young people who have mental illnesses / problems. Some of which go so far that they end up in A&E. Upon arrival doctors look at any previous/serious physical injuries that they may have had before but do not do the same in regard to their mental well-being. For example, if a young person tried to harm themselves but the doctor initially only looks at their physical/previous injuries but doesn't look at their previous mental health until later on. I think if doctors did the same as they do with a young person's mental well-being things could be a lot better for those children/young people in hospitals.* **”**
- Young person, Mencap NI

Too many young people end up in secure wards, far from home, being restrained or secluded, and not treated with dignity, and where they might spend months and years of their childhoods. As identified in the NI Commissioner's Still Waiting¹⁰⁰ report, some children are still placed in adult mental health wards. There are a range of factors that leads to this situation - however, a lack of early intervention and inadequate community provision certainly plays a part. Whereas young people from an in-patient mental health setting expressed the view that while support was better once they were in the situation where they require in-patient support, the experience before reaching this point was more negative.¹⁰¹

“ *Long waiting lists – the service being severely underfunded, not enough staff or resources.* **”**
- Young person, Wales

⁹⁸ <https://www.childrenscommissioner.gov.uk/wp-content/uploads/2020/03/cco-childhood-in-2020.pdf>

⁹⁹ <http://enoc.eu/wp-content/uploads/2019/06/ENYA-2018-recommendations-on-MH-pages-1-4.pdf>

¹⁰⁰ 'STILL WAITING' A Rights Based Review of Mental Health Services and Support for Children and Young People in Northern Ireland Young Person's Report September 2018

¹⁰¹ [A Plan for all children and young people, 2019-2022, Wales](#)

“ *It’s like referral units, like CAMHS, like they’re a well known mental health service and like their waiting list can be like over six months, well how can you make a child wait for six months to see a psychiatrist or a doctor, like you’re just like wasting time.* ”
- Young person, England

“ *If CAMHS had been there back then, none of us would be here.* ”
- Young female on a mental health ward, England

Some groups of children and young people are disproportionately affected by mental health problems including LGBT young people. In Scotland for example, 84% of LGBT young people and 96% of transgender young people indicated that they had experienced mental health problems.¹⁰²

Young carers report that being able to talk to someone who really listens and really understands is essential. Having enough time away from caring to do fun things such as attending young carers’ groups are highly valued. However, health problems relating to mental and emotional health are raised more frequently than physical health problems by young carers.¹⁰³

“ *Education is important to combat the stigma of mental health and people need to be trained to recognise the signs and respond in the right way with the necessary support.* ”
- Young female carer, NI

Poverty

There were 4.2 million children living in poverty as of 2019; it is predicted that the current economic fallout will bring this number to 4.5 million¹⁰⁴¹⁰⁵. Children who live in large families have been hit hardest, partly due to the benefits cap and the two-child limit.

“ *We need immediate action to ensure that every child has access to a safe home, to enough food, to warm, suitable clothing. These are not obscene demands; these are the most basic of rights!!* ”
- Young female, NI

In Wales families talk about children and young people who were missing out on their basic human rights because they were living in poverty – including being able to afford healthy food, school uniform, sanitary products, and equipment for school.¹⁰⁶ Families also told us they were missing out on play, leisure and cultural activities due to a lack of facilities in their area, and the expense of transport. Children tell us about poverty in different contexts. Some children tell us about their housing, some children tell us that they are not able to go

¹⁰² <https://www.lgbtyouth.org.uk/media/1354/life-in-scotland-for-lgbt-young-people.pdf>

¹⁰³ <https://www.cypcs.org.uk/ufiles/CopingWithCaring.pdf>

¹⁰⁴ <https://www.gov.uk/government/collections/households-below-average-income-hbai--2>

¹⁰⁵ <https://www.ippr.org/research/publications/estimating-poverty-impacts-of-coronavirus>

¹⁰⁶ [A Charter for Change](#), Children’s Commissioner for Wales

on a school trip, others tell us they are sometimes hungry and some talk about the digital divide – all are issues that are more likely to affect children living in poverty.

“*Prioritise period poverty now because, from January 2020 – in 2 months’ time – Northern Ireland will be the only region in the UK where girls will not have access to free period products in schools.*¹⁰⁷”
- Young female, NI

“*Sometimes, when I was younger, I used to sit in the bath when I was on my period because I had no pads. I’d miss school and my brother would bring my homework home for me and there I’d be just sitting in the bath.*”
- Young female, Charter for Change respondent, Wales

Young people participating in a Children’s Parliament study expressed concerns about the high cost of school food and drink. They said this means they are sometimes still hungry after lunch. High prices were highlighted as a reason why some children leave school to buy their lunch elsewhere, with participants saying they can get more food for the same price. Often, these cheaper options are less healthy.¹⁰⁸

“*For free school meals, I only get £2.55 on my card so I can’t afford very much. Sometimes I can only get a juice or a drink and a snack.*”
- Young person, Scotland

“*All I could afford was one sandwich OR a fruit and drink – never a meal.*”
- Young person, Charter for Change respondent, Wales

Young Scottish Ambassadors working with the future food inquiry explored the reasons why school pupils chose to eat unhealthy foods.¹⁰⁹¹¹⁰

“*In our community there is a dot-to-dot of takeaways lining our streets. They offer lunchtime specials to school children, they are even promoted on our bus tickets.*”
- Young Ambassador, Scotland

Poverty still creates barriers for children being able to access and enjoy their rights to education. Children talked about the stigma of living in poverty and the hidden costs of attending school. They identified issues where school costs impact on their ability to fully access the school day like the cost of uniforms, travel, learning resources, food, clubs and school trips.¹¹¹

¹⁰⁷ [Children and Young People’s Summit, NICCY, 2019](#)

¹⁰⁸ <https://www.childrensparliament.org.uk/wp-content/uploads/School-Food-CP-2018.pdf>

¹⁰⁹ <https://foodfoundation.org.uk/the-childrens-future-food-inquiry-final-report-is-here/>

¹¹⁰ Tackling fast food, Fixers workshop

¹¹¹ <https://cpag.org.uk/sites/default/files/Cost%20of%20the%20School%20Day%20Dundee%20-%20Full%20Report.pdf>

“ *When you're poor, you give up on your dreams.* ”
- Young person, Scotland

“ *Working class people don't always have the same opportunities.* ”
- Young person, NI

There are also children and young people living in inappropriate housing conditions, which are unsafe, dirty, or too small¹¹² such as B&Bs and shipping containers. One young person who lived in a shipping container shared:

“ *When we sleep water drips on us which we don't like.* ”
- Young female, England

Children also spoke about how poverty made them more vulnerable to being drawn into criminal behaviour.

“ *Poverty's the main reason, yeah, why people get involved with bad things and that. So I don't know how building more football clubs and all that stuff, yeah, is going to stop someone from being poor, innit? It's not. You need money, innit? That's the main reason why people do crimes, innit, for money?* ”
- Young male in the youth justice system, England

Environmental health: Climate change, the environment and recycling

There is a general lack of awareness of the many links between a safe and healthy environment on the one hand, and children's rights on the other. This, along with a weak political will, represents a fundamental obstacle to the respect, protection and fulfilment of children's rights in the context of environmental measures.¹¹³

A recent report on young people's perceptions on whether the NI Executive were looking after the environment found that only 22% thought that they were doing a good job.¹¹⁴ In this context, a young person in England said:¹¹⁵

“ *People just don't believe [in climate change], a lot of people. But not a lot of young people. It's a lot of older people.* ”
- Young female, England

¹¹² <https://www.childrenscommissioner.gov.uk/report/bleak-houses/>

¹¹³ <https://www.hrw.org/news/2020/07/01/realising-childrens-right-healthy-environment>

¹¹⁴ [Our Young People: Perceptions of the Outcomes Framework, 2019 Young Persons' Behaviour & Attitudes Survey.](#)

¹¹⁵ <https://www.childrenscommissioner.gov.uk/wp-content/uploads/2020/03/cco-childhood-in-2020.pdf>

There are many environmental issues that young people expressed as key concerns. In Wales, advisory panel members and student ambassadors, and young people in face-to-face consultations all raised environmental concerns. Feedback from young people during NICCY's Corporate Plan consultation led to the inclusion of specific environmental objectives in its Business Plan. In England, during the 20/21 Business Plan consultation, the environment came up across the groups of children we talked to. Children noted that people are not taking recycling seriously enough and drop litter. Children stressed the importance of "people in power" addressing the issue, too:

“ *I think that all the people in power should come together and work together to solve the problem.* ”
- Young male, England

More effective ways of recycling, active travel and tackling pollution were among the key ways children and young people tell us they thought these issues should be addressed. More information on environmental issues in schools through assemblies, information packs, and involving children in activities to 'do their bit'. Young people in Wales suggested a ban on single use plastics in schools. The Welsh Youth Parliament has also made littering and plastic waste one of its three top priorities, alongside life skills in the curriculum, and emotional and mental health support.

“ *This issue is not going to go away by itself, we need to fix it and we need to fix it fast. We do not have the luxury of time.* ¹¹⁶ ”
- Young female, NI

Covid update

The measures that government put in place to protect children and young people from the COVID pandemic have had a detrimental effect on their mental health. Many young people are concerned about their own mental wellbeing and the wellbeing of others.¹¹⁷

With support services being affected, it is likely that the most impact will be on children and young people who already have a mental health issue. A YoungMinds survey¹¹⁸ of children and young people who have experienced mental health problems, carried out in the first week of lockdown at the end of March 2020, found that a vast majority (83%) felt that the pandemic had made their mental health worse. A follow up survey in June/July found 80% said the pandemic had made their mental health worse, and 41% said "much worse". Much worse was up from 32% in the previous survey.¹¹⁹

Younger children indicated a decline in mental wellbeing. Children increasingly feel lonely and less sure that 'even if I am having a difficult time, I feel I will be okay'. A significant number of children reported a sedentary lifestyle during lockdown may have a longer term impact on their physical activity, health and wellbeing.

¹¹⁶ Children and Young People's Summit, NICCY, 2019

¹¹⁷ <https://www.youthlinkscotland.org/media/4486/lockdown-lowdown-final-report.pdf>

¹¹⁸ <https://youngminds.org.uk/about-us/reports/coronavirus-impact-on-young-people-with-mental-health-needs/>

¹¹⁹ <https://youngminds.org.uk/about-us/reports/coronavirus-impact-on-young-people-with-mental-health-needs/>

Compared to other groups, girls aged 12 to 14 are most likely to feel bored, to feel lonely and to say that there are a lot of things that they worry about in life and to worry about their own health.¹²⁰

Disabled young people worried about their lack of access to family and friends, to shops and restaurants and to clubs. They worried that their family members might get the virus. They were looking forward to returning to school where they felt safe and protected.¹²¹

“

It was scary because people spoke about it in front of me but didn't explain it to me. I was worried about my family.

- Disabled young person, Scotland

”

Some children and young people with additional learning needs have told us how they have struggled during recent times with their education:

“

I have ASD so I have struggled with suddenly no school and a different routine. I'm worried about going back to school.

I don't know who will be there.

- Young person, Coronavirus and Me survey response, Wales

”

“

I've been struggling at school this year because of my learning difficulties and cannot learn at home without my specialist provision. I think I will need to redo this year.

- Young person, Coronavirus and Me survey response, Wales

”

During the pandemic, half of children who were previously receiving help like physiotherapy, saw it stop; support from social services (such as respite care and summer play schemes) stopped for many families during the crisis. Nearly half of parents (45%) said their child's physical health had declined.¹²²

“

I have ADHD and dyspraxia and have felt a lot more stressed and upset feeling isolated.

- Young male, Stress survey June, England¹²³

”

However, we also heard from children and young people who found the experience of lockdown more positive:

“

I've learnt to read because of my ADHD and ASD I've struggled but my mum has helped me and I'm now on level 6 of Oxford owl.

- Young person, Coronavirus and Me survey response, Wales

”

¹²⁰ <https://www.childrensparliament.org.uk/our-work/children-and-coronavirus/>

¹²¹ Corseford School workshop, Commissioner for Children, England

¹²² <https://disabledchildrenspartnership.org.uk/left-in-lockdown/>

¹²³ <https://www.childrenscommissioner.gov.uk/report/stress-among-children-in-england-during-the-coronavirus-lockdown/>

Education, leisure and cultural activities

Many of the issues children and young people face with regard to education, leisure and cultural activities are echoed in other sections of this report, reflecting gaps in opportunities, in attainment and in knowledge for children and young people from varying backgrounds, cultures, ethnicities and abilities.

Educational inequalities

Along with ongoing significant concerns raised about insufficient funding for the educational system, as highlighted for example in the NI Commissioner's submission to the NI Affairs Committee Inquiry into Education Funding¹²⁴, it is clear that there are marked inequalities with regard to attainment in education with specific groups of children and young people being more likely to do better or worse. A significant attainment gap persists for looked after children; children with social workers; traveller children; children from ethnic minorities; children with a disability; children with additional needs and children from disadvantaged backgrounds (such as children on free school meals).

Some young people with special educational needs felt they do not have the same opportunities entering the job market as they are expected to work voluntarily:

“ I don't have a job but I would love to get a job and be paid rather than people saying, oh, you've got to do voluntary work, I would rather be paid and then paid once a week to do shopping, I would rather get paid rather than people saying you've got to do voluntary work. I would love to be paid.”¹²⁵

- Young person with SEND, England

One young person, who spoke on the IMO (In My Opinion)¹²⁶ online platform, highlighted a lack of aspirations and low expectations for children in care:

“ I still think there's a lack of aspiration given to the young people. The other day [...] I saw this billboard of jobs for care leavers and it was like: KFC. I'm not saying there's anything wrong with that, but why weren't they saying stuff like university? You wouldn't put that up in a school, [...] so why is that in place for care leavers? It's symbolic. [...] Why can't we aspire to do more than that?”

- Young male care leaver, England

¹²⁴ <https://www.niccy.org/media/3116/niccy-submission-ni-affairs-committee-inquiry-into-education-spending-september-14-sept-18.pdf>

¹²⁵ <https://www.childrenscommissioner.gov.uk/wp-content/uploads/2020/03/cco-childhood-in-2020.pdf>

¹²⁶ <https://imohub.org.uk/>

Some of the young people who are care experienced commented on how they felt they were treated in school.

“*How many kids have their teachers knowing absolutely everything you’ve ever done wrong? It’s embarrassing – they don’t need to know your whole life. Then they either treat you like you’re some kind of trouble kid or they feel sorry for you.*¹²⁷”

- Young care experienced person, NI

“*School years were tough, no support from social workers, would have liked to move schools but didn’t have the choice.*”

- Young care experienced person, Include Youth, NI

Young people think that it is important for schools to make sure that everyone understands and has a positive attitude about support needs like disabilities and mental health issues. Teachers should have training on inclusion and the different types of support needs pupils may have and how this might affect them in school. Young people said it was really important for schools to make sure pupils with support needs had the same chance as other pupils to have a say in decisions.¹²⁸

“*We want to be seen as individuals with our set of unique strengths and skills.*”

- Young person, Inclusion Ambassador, Scotland

Young people with special educational needs explored the fact that at times they struggled to get allocated school places. They agreed that while most children get support, ‘disabled children like that do not get support and that wasn’t right’. One young person shared that they got a letter telling them they are not entitled to transport affecting their ability to receive their education. They recommended government should do something about this immediately, so all children and young people have equal access to education and the opportunity to fulfil their full potential.¹²⁹

“*Educating teachers and classroom assistants in IT and learning disability awareness, so that they can better help pupils with a learning disability.*”

- Young person, MENCAP, NI

Young people shared thoughts on how schools are more suited to one particular type of learner, and that more needs to be done to support young people who learn in different ways. They thought that there was ‘too much focus on learning for an exam’ rather than learning to develop and gain knowledge. They noted how their teachers are often more concerned about what will be on the test than anything else.

¹²⁷ [Educational Inequalities and Inclusion Position Paper, NICCY \(2017\)](#)

¹²⁸ <https://reach.scot/pupil-voice/inclusion-ambassadors/>

¹²⁹ MENCAP, NI

“ *Sometimes I feel there is more focus on learning for exams than understanding the content.* ”
- Young person, VOYPIC NI

Young people in Northern Ireland noted the confusing nature of the school systems, with many different types of schools.¹³⁰

“ *We have too many types of schools, but not enough types of learning.* ”
- Young person, VOYPIC NI

“ *More schools need to be encouraged to be integrated.* ”
- Young person, NI

Children and young people thought poverty created problems for children being able to enjoy their rights to education.

“ *I can't actually afford the bus so I just walk.* ”
- Young person, Scotland

Discrimination in schools

As highlighted in the 'General Principles' section, many children in certain groups, including BAME children, children with additional support needs and LGBTIQ+ children continue to experience discrimination and stigmatisation. LGBTIQ+ young people said that they were aware of instances where others had been bullied and many reported that the bullying was due to a person's sexual orientation or gender identity.¹³¹

Schools especially were mentioned as key to promote equality and alleviate discrimination for these young people.

For example, 79% of LGBTIQ+ young people said that homophobia was still a problem for Scotland and 85% said that transphobia was still a problem for Scotland.¹³²

“ *I got bullied because I hung around with a boy that was gay so people started thinking I was gay.* ”
- Young person, Scotland

“ *Many people I know get bullied because they are LGBTIQ+* ”
- Young person, Scotland

¹³⁰ NICCY Corporate Plan Consultation, 2020-23

¹³¹ <https://www.lgbtyouth.org.uk/media/1734/life-for-lgbt-young-people-in-dumfries-galloway.pdf>

¹³² <https://www.lgbtyouth.org.uk/media/1354/life-in-scotland-for-lgbt-young-people.pdf>

“ *What is being done to educate students on LGBTQ matters? Often, harsh words, open jokes and unfiltered bigotry are left to fester and be tossed about because children are being allowed to play such things off as “harmless jokes” and “banter” whilst victims are seen as overly sensitive.* ”

- Young person from LGBTQ Youth Cymru group

BAME young people can experience racism in school and in wider society and have little confidence that a reported racist incident will be dealt with appropriately. At times BAME young people feel it is easier for them to imagine that a racist comment was misheard or not intended ‘in that way’, rather than raise the issue with the person who made the comment.¹³³

“ *Discrimination in schools because of background, country of birth, harassment and abuse from other children shouting ‘Go back to your own country’ ...we don’t have trust in teachers to report things on discrimination and bullying as things weren’t taken seriously before.* ”

- Young person, from Ethnic Minorities and Youth Support Team, Wales

“ *We get called “dirty tramps”... and young people get asked “do you all steal? Do you live in a house?” ...Some people make me feel like I don’t want to be one.* ”

- Young person from Gypsy, Roma Traveller group, Wales

“ *Ethnic minority children are discriminated against, in school, society and even at the doctor's.* ”

- Young person, Special interest group survey response, Wales

These young people told us that teachers need more training in recognising and responding to racist incidents and hate crimes, and that unconscious bias training should be compulsory, as they have little confidence that a reported racist incident will be dealt with appropriately.

“ *I got no compassion, the teacher just said, ‘What do you want me to do about it?’* ”

- BAME young person, Scotland

¹³³ <https://interculturalyouthscotland.org/in-sight-report>

They feel that their life experiences aren't reflected in the subjects taught in school.¹³⁴

“ *We should be taught about Black History and other people's cultures instead of World War 1 and 2.* ”
- BAME young person, NI

Young people felt like school could provide more opportunities for learning about non-White Welsh or British histories:

“ *We get LGBTQ lessons and black history, but no one teaches us about GRT history. Not even from WW2 where so many died. It was not mentioned in my class.* ”
- Young person from Gypsy, Roma and Traveller group, Wales

“ *I feel that class topics are mainly about European culture and not other cultures.* ”
- BAME young person, Scotland

Wellbeing

Some young people shared their thoughts about a lack of support for wellbeing at school.

“ *In Year 7 everyone is happy, by Year 8 everyone is slowly getting depressed, by year 9 you realise it's getting worse. In Year 9 [they are] giving homework 3 times a week for 9 different subjects. Schools care more about grades than they do about our wellbeing.* ”
- Young male with Special Educational Needs, England

Young people in Wales¹³⁵ shared that tests (in the case of 7-11 year olds) and school work / exams amongst older children as the thing they worry most about. This was reflected across the nations.¹³⁶

“ *Too much focus on learning for an exam rather than learning to develop and gain knowledge.* ”
- Young person, MENCAP NI

¹³⁴ Ibid

¹³⁵ Responding to Beth Naur survey

¹³⁶ [Educational Inequalities and Inclusion Position Paper, NICCY \(2017\)](#)

In NI where many young people sit a post-primary transfer test:¹³⁷

“ *Get rid of 11+ and all entry tests as they cause too much pressure.* ”
- Young person, NI

Child rights education

Throughout the four nations, there are differing levels of awareness amongst children and young people about children’s rights. Each Commissioner’s office have programmes of awareness raising directed to children and young people (as well as parents / guardians / professionals), as well as supporting other organisations to promote child rights.

“ *I learn about rights in school and at Mixtup and I speak up for others.* ”
- Young person from Mixtup group, Wales

Some young people in discussion shared that they had not heard about their rights.

“ *There should be more awareness of children’s rights so young people can identify if their rights are being violated, rights should be followed through into home life, with more rights integrated into school life.* ”
- Young person, Student Ambassador, Wales

“ *More people should be aware of their rights and more should be done to access your rights and making sure you have access to these rights. When learning about rights in school it should be more detailed and better delivered to children and young people.* ”
- Young person from Race Council Cymru, Wales

Personal and social education

Young people in Wales thought that better use could be made within the curriculum, e.g. Personal Social Education, feeling that there are missed opportunities to learn about the UNCRC, Mental Health and life skills:

“ *They should tell us more about them in PSE classes and Skills classes but they don’t...they just expect you to know.* ”
- Young person from Gypsy, Roma and Traveller group, Wales

¹³⁷ When the 11+ was abolished in NI, it was replaced by two different transfer tests. They are commonly known as the AQE and the GL. The results of the tests are used as grammar school admissions criteria. Some grammar schools accept either test but most use one or the other.

“*In classes such as PHSE, pupils should be taught about why they should be considerate towards people who don’t have the same amount of money or are going through a tough time at home.*”
- Young person, Scotland

Life skills¹³⁸ was the most popular option when young people in Wales were asked what they would like to learn more about at school. It was also one of three top priorities identified by the Welsh Youth Parliament in 2019. They thought it would be good to learn about skills such as managing their finances so they are ready for adult life, or about how to start a business. There was also a call for a wider range of educational opportunities.

“*We should learn about manual handling and mechanic skills, health and beauty skills and first aid – mental and physical.*”
- Young person, Wales

“*I would like to learn about the topics that apply to me after leaving school, such as how to deal with finances, tax etc.*”
- Young male, Wales

Exclusion and isolation

Rising school exclusion rates and use of isolation, particularly for children with Special Educational Needs, continue to present a considerable challenge to ensuring all children have their right to education realised. This is especially true for children already affected by lack of SEN¹³⁹ funding.

One young person shared their thoughts on isolation:

“*But then how are you supposed to like solve an issue by just isolating a child? Like no one sat down with us. Like [other girl] would agree with me on this one, like no one sat us down in school and said, “Right, what’s the issue, why don’t you want to come in?”*”
- Young female, England

Formal and informal exclusions (including ‘off-rolling’ to home education and reduced timetables) are on the rise across the UK. This disproportionately affects children with special needs who are already more vulnerable.

Although actual number of young people being home schooled is unknown¹⁴⁰, some young people shared their thoughts on home schooling. Whilst some children have very positive experiences, others shared their negative experiences.¹⁴¹

¹³⁸ Respondent to Beth Nawr survey

¹³⁹ In Scotland, ‘Additional Support Needs’ (ASN) is the terminology used (not SEN)

¹⁴⁰ <https://www.childrenscommissioner.gov.uk/wp-content/uploads/2019/02/cco-skipping-school-invisible-children-feb-2019.pdf>

¹⁴¹ <https://www.childrenscommissioner.gov.uk/about-us/corporate-governance/business-plan-2018-19/>

“ *For like eight months . . . [I was home schooled] and like, I never saw my friends. I literally had like no friends for ages... I used to smoke all the time.* ”

- Home schooled young person, England

Play and leisure

Children have told us how important it is for them to be able to play and take part in leisure activities.¹⁴² However, access to play is not equally possible for all children and some children feel they are missing out.

Access to services depends on where you live, transport and funds. Young people talked about the impact in the cut in universal youth services. Young people who had experience of care reflected how changes in placements can affect clubs and opportunities.¹⁴³ BAME children are less likely to have access to outdoor space compared to those from white backgrounds. Children who live in poverty also have less access to outside space.¹⁴⁴

“ *I can't afford to pay for the clubs so I wish there were some free ones.* ”

- Young person, England

“ *Some of the fun stuff to do is expensive and I can't always afford it.* ”

- Young person, England

There were a number different issues raised by younger and older children with regards to leisure and play including no activities for older children, access in rural areas, old and broken equipment and not involving children in the creation of leisure activities:

“ *There isn't anything going on for us older ones. The council is selling things on because they can't afford them.* ”

- Young person, Charter for Change Report, Wales

“ *Gender roles meant not much free time as had to clean, babysit – activities cost money and we live in rural community so not easy to access activities, lots of the boys box the club.* ”

- Young person from Gypsy, Roma and Traveller group, Wales

“ *I would go to the park but a lot of the equipment is broken, is old, [sports] cages are often full.* ”

- Young person, England

¹⁴² <https://www.childrenscommissioner.gov.uk/wp-content/uploads/2018/08/Play-final-report.pdf>

¹⁴³ [Charter for Change, Commissioner for Children, Wales](#)

¹⁴⁴ <https://www.ons.gov.uk/economy/environmentalaccounts/articles/oneineightbritishhouseholdshasnogarden/2020-05-14>

“ *Council can make projects for parks and get all their ideas from children.* ”
- Young person, NI

Some young people shared that they don't always feel safe when they are out:

“ *They don't put barriers for the motorbikes so the motorbikes go there, and they could injure a kid because there's playing areas for kids and then there's no cameras or anything like that.* ”
- Young female, England

One young person in NI shared their concerns that fighting or rioting can be a problem that makes it dangerous to play outside but noted:

“ *...but there are some children who want to go to the riots, as for them it is fun and exciting.* ”
- Young male, NI

Covid update

All schools were closed in response to the COVID-19 pandemic and learning moved online. The experience of school closures has had a real impact on children's education and wellbeing. Some schools have excelled at delivering online classes, staying in touch with parents and children, and providing crucial support for all children. Children's experiences were mixed. During the pandemic, children spoke about their learning experiences; many expressed that they missed school and found it difficult to learn from home, and some found their workloads unmanageable.

“ *The amount of school work I have been set online with no support from teachers. Thinking about future academic plans like university is stressful and I don't have anyone to talk about it with. I've struggled with mental health and it's tough to find support.* ”
- Young female, England

Among 12-18 year olds responding to [Coronavirus and Me¹⁴⁵ survey](#) the most common concern around education was of falling behind with learning (54%), followed by missing out on experiences they were looking forward to (53%), and worries about how the period of lockdown could affect their exam results (52%).

Vulnerable children such as those with special education needs, may struggle to reintegrate into the classroom after a long period away, with new routines to become familiar with.

¹⁴⁵ https://www.childcomwales.org.uk/wp-content/uploads/2020/06/FINAL_formattedCVRep_EN.pdf

“ *Due to school closing I’m missing out on a huge chunk of education that can prepare me for secondary school and later life. That makes me feel unprepared and not ready for the journey ahead.* ”

- Young female, Scotland

This had an impact on many children ‘locked down’ and learning from home. Over the three months that children were learning from home there was a decline in the numbers of children saying that they had a choice in what they were learning and more than half said that they felt bored.¹⁴⁶

“ *Also not a good thing is that I’m not getting taught any new things it’s all roughly the same thing every day.* ”

- Young male, Scotland

Digital technologies

The digital divide was highlighted by the pandemic, when children were meant to do their schoolwork at home. The pandemic highlighted inequalities that exist around access to digital technologies. ICT-related items were the most commonly missing resource among secondary school pupils.¹⁴⁷

In the UK, it is estimated that 9% of families do not have a laptop, tablet or desktop at home.¹⁴⁸ Whilst the government and devolved administrations started schemes to provide children with laptops, there were far from enough to make sure every child could benefit from the scheme.

“ *It’s very stressful having to teach yourself and I don’t have access to a laptop or good wifi at home which is a real struggle as an A level student.* ”

- Young female, Wales

Some young people with disabilities shared that education had been affected and that school and college online was difficult.¹⁴⁹

“ *My course is practical, I am meant to be learning about painting and other things you can’t do that online, I really struggled.* ”

- Young person, MENCAP NI

Other young people shared:

“ *I need a computer to do my assignment. Five of us share one computer in my family.* ”

- Young female, Scotland

¹⁴⁶ <https://www.childrensparliament.org.uk/our-work/children-and-coronavirus/>

¹⁴⁷ <https://cpag.org.uk/sites/default/files/files/The-cost-of-learning-in-lockdown-Scotland-FINAL.pdf>

¹⁴⁸ https://www.ofcom.org.uk/data/assets/pdf_file/0030/198138/tech-tracker-internet-and-device-access-children-data-tables.pdf

¹⁴⁹ MENCAP NI

“ *Laptop doesn't work very well. Not got a printer to print things out.* ”
- Young male, Scotland

Others who lived rurally identified that accessing the internet can be a real problem with schooling online and socialising and highlighted that people without internet access would have really struggled during lockdown. One young person who had stayed with his family in a hotel during lockdown, told us that he didn't have a device for three months and no access to the internet, and as a result feels that he has fallen behind in his education.

“ *The support was lacking in the fact that, my school couldn't get me a device for me to be able to do the school work; and the fact that, we didn't even have any internet.* ”
- Young male who had spent lockdown with his family in a hotel, England

Young people in care also reflected this long before the current pandemic:¹⁵⁰

“ *I think it is important that the Children's Commissioner is making sure most young people in care have internet.* ”
- Young person, England

Exams

Young people in particular have felt that they have not been given the opportunity to have a say in decisions that have been taken about their education especially in the cancellation of the exams in 2020.¹⁵¹

“ *Article 12, the right to be heard in decisions that affect me. That's something that young people didn't have much of a say in, the cancellation of the exams.* ”
- Young female, Scotland

“ *Angry – I've put so much so much effort for these exams and it's all gone to waste.* ”
- Young female, Wales

There was concern expressed in relation to the recent situation where predicted grades have been used in place of exams due to Coronavirus restrictions. They felt that this is an example of where their rights have not been properly considered by decision makers. Specifically, pupils were concerned about teacher bias for predicted grades and teacher assessment.

¹⁵⁰ <https://www.childrenscommissioner.gov.uk/wp-content/uploads/2017/05/CCO-Business-Plan-2017-18.pdf>

¹⁵¹ CYPCS Young Advisers Group

The outbreak of Covid-19 has placed a further spotlight on the adverse consequences of this unregulated transfer test system, which children in Northern Ireland take to gain admission to grammar schools. It has reinforced the unacceptable pressure placed on children as young as 10 and 11 years to perform in these exams, and has highlighted the resultant negative impacts on children’s health and wellbeing. Concern of the impact of coronavirus on their pupils led to some primary school principals to call for transfer tests to be suspended in 2020 stating, *“This unprecedented period of isolation and home-schooling is having, and will have, an unknown impact on every pupil”*¹⁵². A Department of Health (NI) report shared *“...children are under increasing pressure from a much younger age to achieve high grades and this is thought to be the cause of much anxiety.”*

Additionally, the transfer test brings stress for young children, starting from primary 5 onwards.¹⁵³

Leisure and culture

Some young people with disabilities felt that their right to play and leisure has been really badly affected during lockdown because children and young people have been unable to see their friends because they were scared of being infected. They worry that children and young people are getting lonely because they have nobody to talk to.¹⁵⁴

And, on the lack of activities available during lockdown one young person in the youth justice system told us:

“I was on a sports course so I was in the gym for about 6 hours a day for 6 days a week ...Lets you free your head, gives you some space to get stuff out of your head really. Now we can’t go because of cross contamination and that. Getting up in the morning, I used to get up early, with a routine in place, but now it’s all changed. [I] sit on my bed watching telly most of the day now. Some people enjoy that, but I don’t really enjoy that me, I feel like I’ve wasted the day.”

- Young person in the youth justice system, England

However, some young people identified this time as being in part a positive experience. For many there has been a pleasure in spending more time with their family, learning new skills and enjoying the outdoors in gardens and during daily exercise.¹⁵⁵

“I have formed a closer relationship with my parents. The community has really come together. This has made me appreciate the small things.”

- Young female, Wales

¹⁵² <https://www.bbc.co.uk/news/uk-52871800>

¹⁵³ [What wellbeing means?, NCB NI on behalf of The Department of Education and the Public Health Agency, NI](#)

¹⁵⁴ MENCAP NI

¹⁵⁵ [Coronavirus and Me survey](#), Commissioner for Children, Wales (2020)

Special protection measures

Asylum seeking, refugee and migrant children

Newcomer children and young people, whether that be asylum seeking, refugee or migrant children and young people, face many challenges in striving to achieve their rights. Children may also be unaccompanied or 'separated'. They are subject to a complex range of processes that require UK and devolved agencies to work effectively across their respective remits, and children and families will need to navigate the asylum and immigration system, as well as seeking access to basic services.

There are a range of barriers faced by asylum seekers and refugees, for instance, in accessing appropriate healthcare, an adequate standard of living and an effective education. They experience financial poverty, digital poverty and poverty of opportunity.¹⁵⁶

Children also voiced that they did not understand the cost of the citizenship application and expressed that they have a right to know where their money goes. There were concerns throughout the nations about the stress of getting citizenship and the effect on families. Young people shared that because their families have minimum income, they can't afford to pay the cost of citizenship:

“ *It costs £1000 per child. My parents can afford to pay, I can't get EMA (Educational Maintenance Allowance) and can't take part in 3rd level education.* ”
- Young female asylum seeker, HAPANI

“ *[My mother] still has to pay for citizenship, and all the things we want for Christmas might not happen.* ”
- Young female with a migrant background, England

Others were concerned about the length of time it took to process applications:

“ *I applied for asylum in 2014 and have remained an asylum seeker since and don't have the same access to higher education.*¹⁵⁷ ”
- Young female asylum seeker, HAPANI

The financial hardship has many repercussions on leisure, cultural and extra-curricula activities. Not having citizenship also impacts on ability to work, availability of EMA (Educational Maintenance Allowance) and the ability to travel.

¹⁵⁶ Discussion with young people from Horn of Africa People's Aid, NI (HAPANI), 2020

¹⁵⁷ Ibid

One young person shared:

“I feel unaffordable [...] I don't feel like I'm a normal child, because I'm in a position where I can't be a child.”¹⁵⁸
- Young female with migrant background, England

Housing was also a concern for many children. They told us about the impact substandard conditions – confined spaces, living with rats, and not feeling safe in an area – and having to move frequently had on other parts of their lives such as schooling.

“Every time you keep moving, it's just harder for you because maybe one place that you lived, your school is close, and then if you just move far and your school's still there, it's going to be a long journey.”¹⁵⁹
- Young female with migrant background, England

Children told us what they think is the general perception by wider society on asylum seekers, refugees or migrants:

“They expect you to have a language barrier or be uneducated. They usually underestimate you.”
- Young asylum seeking female, HAPANI

“No matter what you do, you will always be labelled as a foreigner.”
- Young asylum seeking male, HAPANI

There was a concern expressed by one teenager for new migrants in her school who have language barriers that they were not given a choice about which GCSEs to enrol into:

“They throw them into GCSE subjects but don't talk to them properly about what is in them. They force them into easier subjects and then just leave them to it.”
- Young person from Ethnic Minorities and Youth Support Team, Wales

¹⁵⁸ <https://www.childrenscommissioner.gov.uk/wp-content/uploads/2020/03/cco-childhood-in-2020.pdf>

¹⁵⁹ Ibid

Families with No Recourse to Public Funds (NRPF) are not allowed to claim state benefits, due to their immigration status. Many children whose families are on NRPF for example, are not entitled to free school meals. One child shared:¹⁶⁰

“ *Sometimes I feel embarrassed because I can't have certain things. Most days I don't have breakfast and my teacher was worried I wasn't eating.* ”
- Young female, England

Juvenile justice

The UK has the lowest ages of criminal responsibility, 8 in Scotland (with legislation passed but not yet in force to raise it to 12), and 10 in England, Wales and Northern Ireland. The UN Committee on the Rights of the Child's advises that the minimum internationally acceptable age of criminal responsibility should be no lower than 14.

Children and young people in the Youth Justice system are a particularly vulnerable group whose views and needs are often overlooked. Whilst there has been a reduction in the number of children serving custodial sentences in Wales¹⁶¹ and England, concerns have been raised about the lack of facilities for young offenders and the safety of children held in custodial institutions.

However, many children are still deprived of liberty every year, some of whom are exposed to pain-inducing restraint, or isolated from their peers for long periods of time. The use of stop and search and strip-searching of children and young people continues to breach children's rights, negatively impacting their relationship with the police and authorities.

Children involved in the criminal justice system almost universally tell us that prison is not the answer that it can compound issues for most young people.

“ *Jail is not the place to send kids, it does not help, you send them to a fucking camp or something and they've got to learn how to cook and learn how to get a job and stuff like that but do not send a kid to jail, all that's going to do he's going to go to jail he's going to meet different connections from all across the country there, you're going to be having fights every single day it's just going to make kids worse.* ”
- Young male in the youth justice system, England

There are positive developments such as prisons having youth panels aiming to consider young people's views. Young people also shared positive comments about rehabilitation work through Youth Offending Teams:

“ *The whole reason I'm coming here is to prevent anything from happening again, so that's good.* ”
- Young male in the youth justice system, England

¹⁶⁰ <https://www.childrenscommissioner.gov.uk/2020/02/21/families-living-with-no-recourse-to-public-funds/>

¹⁶¹ [A Plan for all children and young people, 2019-2022](#), Commissioner for Children, Wales

The young people also believe that the police should be more involved in community engagement and with this increase young people would change their opinion of the officers. However, children and young people felt that police do not care about them, believe negative stereotypes about them or treat them as if they are the problem:

“ *If you’re out in town as a teenager they [the police] expect you to cause some sort of trouble.* ”
- Young male, England

In NI, more young people disagreed with the statement – “We have a safe community where we respect the law, and each other” - than agreed.¹⁶²

Young people also said that they were fearful of the punishment beatings that they would get from paramilitaries if they phoned the police and that they would rather turn to the paramilitaries for help instead of the police. When asked what could change to solve this issue, they were not convinced that there was a solution.¹⁶³

“ *Yea, because when we get out of here, the paramilitaries know our addresses.* ”
- Young male, Include Youth, NI

“ *Nothing will change as long as paramilitaries are around.* ”
- Young male, Include Youth, NI

One young person involved in the juvenile justice system talked about the need to provide additional support to enable some young people to make positive choices:

“ *Sometimes we need to treat people differently to make it fair. Some people need more than others. I agree some people should be treated different in. Positive way but not when treating them different impacts them negatively.* ”
- Young person, Shankill Alternatives, NI

¹⁶² [Our Young People: Perceptions of the Outcomes Framework, 2019 Young Persons’ Behaviour & Attitudes Survey.](#)

¹⁶³ [Include Youth engagement with young people on the Local Policing Review, November](#)

Young people in care

Many of the young people in care shared their feelings that the processes and people involved in the justice system talked at them rather than genuinely listened to them and this contributed to a sense of having been unfairly accused and criminalised. They felt a lack of empathy and understanding for their situations and that other people had low expectations of them owing to their care experience.¹⁶⁴

Young people in care explained how their engagement with police and the authorities differs so much from other young people not in care, and that they feel they are treated differently to other children because of their care background. They sense that the police treat them with suspicion and they are often more likely to be stopped and questioned. The view that looked after children are more likely to be brought into the justice system than those not in care is extremely common.¹⁶⁵

“ *I got 25 convictions in 2 months in a care home... my solicitor said they were too quick to lift the phone and call the police. I got booked for throwing a cup at the wall, and they phoned the cops and I got done for criminal damage.* ”

- Young person, Include Youth, NI

“ *I never got convictions 'til I went into care ... I got 66 convictions in 2 years... wouldn't have been in here only I was in care. Even if we went into the staff office (in care home) to wind them up, they would threaten to phone the police.* ”

- Young person, Include Youth, NI

“ *They don't even give you a chance to come home before they are on to the police and then the police treat you as a missing person.* ”

- Young person, Include Youth, NI

¹⁶⁴ [Evidence Framework: The Independent Care Review, 2020](#)

¹⁶⁵ [Response to Draft Northern Ireland Policing Plan Consultation 2020-2025, Include Youth \(2020\)](#)

Covid updates

Children and young people who are currently in contact with youth justice services or with previous experience of the youth justice system said that the biggest issues affecting them during COVID-19 was the isolation and lack of contact with others – family, friends and services – through visits, face to face contact and positive physical contact and affection. They described lockdown as a negative experience using words like, hard, difficult, challenging, terrible, tough, stressful, depressing and frustrating.¹⁶⁶

“ Lockdown has been horrible and weird. Not getting out and about feels crazy and when you think something has affected the whole world it feels like a big dream. ”

- Young person, Scotland

During COVID, Children’s Hearings¹⁶⁷ in Scotland moved to being held virtually if they weren’t suspended. Children and young people involved in the hearings system highlighted the need to address any digital exclusion experienced by children and young people.

“ You should provide devices if these are needed by children, young people and families to take part. ”

- Young person, Scotland

They talked about what they would like to see when hearings returned to face to face meetings. A number of young people felt that face to face hearings provided more opportunities to get their views across but that having to wear a mask could be off-putting.¹⁶⁸

“ Protective masks could be scary. They hide people’s facial expressions which is an important part of being able to read what a person is thinking. ”

- Young person, Scotland

For the majority of the lockdown, children in custody have experienced extremely restricted timetables, with little access to education, time in the fresh air, family visits and time outside of their cells.

“ It’s hard, because I’m used to being shown love on the outside, even just a hug is just nice...obviously you don’t get to have that feeling in here it’s a bit harder, especially with visits being off...that’s the hardest thing I’ve gone through. ”

- Young male, England

¹⁶⁶ <https://cyci.org.uk/wp-content/uploads/2020/06/COVID-19-and-justice-report-final.pdf>

¹⁶⁷ In Scotland, a Children’s Hearing is a legal meeting for young people in need of help, support or protection. Young people can be asked to attend a Children’s Hearing if there are concerns for their safety or welfare

¹⁶⁸ https://www.ohov.co.uk/wp-content/uploads/2020/07/220620_Return-to-face-to-face-Hearings-Consultation-Report.pdf

Children were generally understanding about the need for some restrictions to limit infection control and keep people safe, however told us they found the period difficult.

“ *I know it’s completely relevant because it’s a lockdown and we need to keep people safe but at the same time it’s a bit like... I don’t know... I feel like a bit of a dog in a cage to be fair.* ”

- Young person, England

Because of the very restricted timetables, children spent a long time alone in their cells, which can have a negative impact on their mental health and wellbeing.

“ *...when you’ve got nothing to do so you’ve got a lot more time to think and then you can start thinking about bad things and that’s how it escalates. And if you’ve got nothing to do you’re just watching telly and sleeping all day it just ruins you.* ”

- Young person, England

Commenting on experiences during the Covid-19 pandemic, one young person¹⁶⁹ from a family seeking asylum shared:

“ *I am not happy because I can’t see my friends anymore and my mum couldn’t get me a new tablet since my own got broken and she could not buy new a new tablet as we are asylum seekers and only live on £5 per day but I share with my little brother which is not fun at all.* ”

- Asylum seeking young person, Wales

¹⁶⁹ [Coronavirus and Me survey](#) response, Commissioner for Children, Wales (2020)

Brexit

The full implications of the Brexit vote on 24th June 2016 are still unknown but it is clear that today's children and young people will be the first generation to live with the full impact of the UK having left the EU.

Brexit will impact on children and young people more than any other group, as they will have to live with the implications for longest. Children and young people under the age of 18 did not get an opportunity to vote or have their say on this most vital decision. Young people felt the impact on children, young people and their families was not fully considered.¹⁷⁰

For many young people, the decision-makers seemed very far away from understanding the reality of their lives and how decisions about the Common Travel Area, hard-soft border discussions or the loss of EU-funding programmes could have a very real impact on their lives now and far into the future.

Two thirds (69%) of young people thought that Brexit would have a big effect on their lives. 93% thought that the decision to leave the EU was a 'bad decision'.

“ *EU is a protective shield for minority groups. Post Brexit could see a reversal of rights and enable discrimination.* ”
- Young person, NI

The Scottish Youth Parliament produced a Brexit Manifesto calling on the Scottish and UK Government to give young people a far more official, meaningful voice and representative place in the Brexit negotiations throughout the process.¹⁷¹ The Children and Young People's Panel on Europe, led by Together and Children in Scotland, found that children and young people had a wide variety of opinions on the effect of leaving the EU, and that these opinions needed to be heard in the UK-EU withdrawal process.¹⁷² In an Instagram poll, 90% of young people in Wales thought that Brexit would have a negative effect on their rights.¹⁷³

Young people in Northern Ireland find themselves in the unique position of having a land border with the European Union via the Republic of Ireland. Crossing the border for family, social, sporting, cultural and economic reasons has been to date, a smooth and hassle free experience.

“ *If you have family / relations on the other side of the border it would be very difficult to be going often if you have to be stopped and checked at every border.* ”
- Young person, NI

¹⁷⁰ <https://www.niccy.org/media/2991/brexit-full-report-nov-17.pdf>

¹⁷¹ [Rights Outright: SYP's Brexit Manifesto](#)

¹⁷² [Children and Young People's Panel on Europe](#)

¹⁷³ <https://www.childreninwales.org.uk/resources/brexit-childrens-rights/#>

“*Impact on transporting goods – lorries etc. across borders – affects jobs – income – standard of living.*”
- Young person, NI

These young people have many Brexit concerns ranging from access to schools, to rights and equalities and the economy. Some are also concerned about the possibility of conflict emerging from a potential hard border. Young people (from both sides of the Irish border) are very concerned that Brexit could limit their opportunities in the future for work, travel and study.¹⁷⁴

“*Scared of something like the Troubles happening again if a hard border is put up.*”
- Young person, NI

“*If learning a European language will foreign exchanges become more difficult and more expensive?*”
- Young person, NI

¹⁷⁴ [It's Our Brexit Too: Children's Rights, Children's Voices, 2017; NICCY & Ombudsman for Children's Office, Ireland](#)

Appendix 1: Engagement overview

England

Included in this year's UNCRC reporting cycle, are the views and voices from children that we have gathered over the past five years. We have drawn on our work on [vulnerability](#); [gangs](#); [children's digital lives](#); [gaming](#); [home schooling](#); [mental health](#); [the care system](#) including [stability](#); [children in secure settings](#); SEND including access to [speech and language therapy](#); [housing](#); [access to play](#); [children in the North](#); representing children's voices on these issues that affect their every-day lives. Also views and voices from children who reach out to our [Help at Hand](#) service, a help line offering advice and support to children in care, leaving care or living away from home and our online platform '[In My Opinion](#)' (IMO), a space for open and honest conversations with care leavers about issues that are important to them, are included.

During our latest Business Plan consultation 2019/2020, '[Childhood in 2020](#)' we spoke to 137 children and young people face to face including children with a migrant background, children in the youth justice system and children with SEND; and have surveyed almost 2,000 children. This extensive consultation gave us insight into the issues that are on children's minds now. During the current pandemic, we have surveyed almost 4,000 children just before and after lockdown to find out from them, what [makes them feel stressed](#). Findings from this survey are also included; as well as voices from children who we have spoken with most recently, for example about their '[lockdown experiences](#)'; their experiences in [custody](#) during the pandemic; and [apprenticeships](#).

Northern Ireland

To ensure we received a wide range of views, especially those most vulnerable, Participation Staff in Northern Ireland engaged with children and young people or organisation staff facilitated these engagements on our behalf.

This include young people in care ([Voice of Young People in Care, NI](#)); young refugees and asylum seekers ([Horn of Africa People's Aid Northern Ireland](#)); children and young people affected by Domestic Abuse ([Woman's Aid, NI](#)); young carers ([Huntington's Association in NI](#)); young people from disadvantaged communities, young people who have committed or at risk of committing crime ([Include Youth](#)) and children and young people involved in restorative justice programmes ([Northern Ireland Alternatives](#)). A survey was also circulated for those willing to participate but unable to attend a workshop.

Additionally, contemporary engagement (pre-Covid) directly with children and young people supported feedback for this report. NICCY's 2020-23 Corporate Plan consultation included engagement with over 1500 children and young people at its [UNCRC 30th Anniversary Celebrations](#) & [Children and Young Persons' Summit](#). The [Statement of Children's Rights in Northern Ireland](#) report (2018) used ongoing engagement with children and young people through Commissioner's visits, research and awareness raising initiatives such as at large public events to identify key issues. Online [Q&A webinars](#) hosted by the Commissioner focused on children and young people living in a digital environment and children and young people mental health engaged over 3000 young people.

Throughout the period since the last UN Reporting cycle, its own [Youth Panel](#) has advised NICCY with its average membership of 80 young people.

Scotland

The views and opinions of children and young people in this report are taken from a wide range of reports, research, surveys and consultations. Some of these were undertaken as part of the Children's Commissioner's work where children and young people with lived experience were able to express their views on issues that were affecting their rights. Reports like [No Safe Place](#), an investigation into restraint and seclusion in Scotland's schools and [Coping is difficult but I feel proud](#), a research project on the mental health and wellbeing of young carers. [Power Up Power Down](#) was a joint project with Scottish Women's Aid which listened to young people living with domestic abuse. Also included are the voices of young advisers to the Commissioner and his team including the Human Rights Defenders Action Group who co-created the [Promote, Protect, Defend](#) Report.

Others were facilitated by Scotland's large and active network of organisations who work with and for children and young people. The views of younger children are captured by the work of the Children's Parliament, those of young people by the youth work sector and the Scottish Youth Parliament. We have also included groups supporting BAME young people, LGBTIQ+ young people, children in conflict with the law, children of prisoners and children and young people living in poverty.

Due to Covid-19 and the restrictions put in place in March 2020, we were unable to have face to face engagements with children and young people. Our current advisory group continued to meet online and contributed their views on lockdown, on the cancellation of the exams, on the incorporation of the UNCRC into domestic law, on Child Rights Impact Assessments and much more. We also asked other organisations to conduct workshops for us. These included children and young people from the gypsy/traveller community, D/deaf young people, disabled young people and children and young people from armed forces families.

Wales

In drawing together views from children and young people to feed into this report we have drawn upon past consultations including [Beth Nawr \(2019\)](#) which gathered views of 10,000 children and young people, project work and an Evidence Review we commissioned: [The Human Rights of Children in Wales \(2018\)](#). Previous work has highlighted many positives to young people's lives in Wales but also showed us that those with equality characteristics were more likely to face barriers to get their rights. In 2020 we gathered views at events from our student ambassadors (Jan 2020) and from our advisory group (Feb 2020). In May 2020, we also gathered views and experience during lockdown from over 23,500 children and young people, through our [Coronavirus and Me](#) surveys.

In addition to these recent consultations, and to ensure we heard a wide range of views, during July-August 2020 we conducted online workshops with groups of young people with a 'special interest' (those who often face more barriers to accessing their rights), asking key questions to inform this report. These included children and young people who were resident in a secure residential unit; resident in a mental health inpatient unit; from Gypsy, Roma and Traveller communities (GRT); involved with the Ethnic Minorities and Youth Support Team EYST (All Wales BAME Engagement programme) and Race Council Cymru (RCC); those with Welsh as a first language; involved with Mixtup (a mixed ability youth club); care experienced young people (Young Voices Speak Out, Flintshire), those identifying as LGBTQ+ through Youth Cymru; our Community Ambassador groups. A survey was also made available to these groups, for those who couldn't attend a workshop.



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