

**ADVANCE UNEDITED VERSION**Distr.: General  
3 June 2016

Original: English

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**Committee on the Rights of the Child****Concluding observations on the fifth periodic report of the United Kingdom of Great Britain and Northern Ireland \*****I. Introduction**

1. The Committee considered the fifth periodic report of the United Kingdom of Great Britain and Northern Ireland (CRC/C/GBR/5) at its 2114th and 2115th meetings (see CRC/C/SR.2114 and 2115), held on 23 and 24 May 2016, and adopted the following concluding observations at its 2132nd meeting (see CRC/C/SR.2132), held on 3 June 2016.

2. The Committee welcomes the submission of the fifth periodic report of the State party and the written replies to the list of issues (CRC/C/GBR/Q/5/Add.1), which allowed for a better understanding of the situation of children's rights in the State party. The Committee expresses appreciation for the constructive dialogue held with the multisectoral delegation of the State party.

3. Where not otherwise stated, the recommendations in each part of the present observations are addressed to the Government of the United Kingdom of Great Britain and Northern Ireland and, where relevant mandates fall under their jurisdiction, to the governments of devolved administrations in Wales, Scotland and Northern Ireland as well as the governments of the Overseas Territories and the Crown Dependencies.

**II. Follow-up measures undertaken and progress achieved by the State party**

4. The Committee welcomes the ratification of or accession to international instruments, including the extension of its ratification of the Convention to the Bailiwick of Jersey, as well as the progress achieved by the State party in various areas related to children's rights and the adoption of a number of new laws and institutional and policy measures since its last review.

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\* Adopted by the Committee at its seventy-second session (17 May -3 June 2016).

### III. Main areas of concern and recommendations

#### A. General measures of implementation (arts. 4, 42 and 44 (6))

##### Reservations

5. The Committee regrets that the State party maintains its reservations with regard to the applicability of some of the articles of the Convention to its Overseas Territories and Crown Dependencies, namely the reservations on:

- (a) Article 22 to the Cayman Islands;
- (b) Article 32 to all its dependent territories, except Pitcairn;
- (c) Article 37 (c) to all its dependent territories.

6. **The Committee, in the light of the 1993 Vienna Declaration and Programme of Action, recommends that the governments of the said Overseas Territories and Crown Dependencies consider the withdrawal of all their reservations to the Convention.**

##### Legislation

7. **The Committee recommends that the State party:**

(a) **Expedite bringing its domestic legislation, at the national and devolved levels as well as in the Overseas Territories and the Crown Dependencies, in line with the Convention in order to ensure that the principles and provisions of the Convention are directly applicable and justiciable under domestic law.**

(b) **Expedite the enactment of a Bill of Rights for Northern Ireland, agreed under the Good Friday Agreement.**

##### Comprehensive policy and strategy

8. **The Committee recommends that the State party:**

(a) **Revise the UK-wide strategy, *Working together, achieving more* (2009) to cover all areas of the Convention and ensure its full implementation;**

(b) **Adopt comprehensive action plans for the implementation of the above-mentioned strategy in England and Northern Ireland;**

(c) **In Scotland, ensure the full implementation of the action plan *Do the Right Thing* (2009) and the National Action Plan for Human Rights (2013-2017);**

(d) **In Wales, ensure the full implementation of the Programme for Children and Young People (2015).**

**In doing so, the Committee recommends that the State party allocate sufficient human, technical and financial resources, set up clear timelines as well as a monitoring and evaluation framework for the implementation of the strategy and the action plans, and pay special attention to children belonging to the most vulnerable groups.**

##### Child Rights Impact Assessment

9. **The Committee recommends that the State party:**

(a) Introduce a statutory obligation at national and devolved levels to systematically conduct a child rights impact assessment when developing laws and policies affecting children, including in international development cooperation;

(b) Publish the results of such assessments and demonstrate how they have been taken into consideration in the proposed laws and policies.

#### **Coordination**

10. The Committee reiterates its previous recommendation that the State party ensure effective coordination of the implementation of the Convention throughout the State party. To this end, the Committee recommends that the State party:

(a) In each of the devolved administrations, Overseas Territories and the Crown Dependencies, establish an appropriate statutory body at a high interministerial level with a clear mandate and sufficient authority to coordinate all activities across relevant sectors related to the implementation of the Convention;

(b) Allocate sufficient human, technical and financial resources to the said coordinating bodies for their effective operation;

(c) Strengthen coordination and evaluation of the implementation of the Convention at the national level.

#### **Allocation of resources**

11. The Committee is seriously concerned at the effects that recent fiscal policies and allocation of resources have had in contributing to inequality in children's enjoyment of their rights, disproportionately affecting children in disadvantaged situations.

12. In accordance with article 4 of the Convention and Sustainable Development Goal 10, Targets 10.2 and 10.4, the Committee urges the State party to allocate the maximum extent of available resources for the implementation of children's rights, with a special focus on eradicating child poverty and reducing inequalities within and across all jurisdictions. In this endeavour, the Committee recommends that the State party:

(a) Utilize a child-rights approach in the elaboration of the State budget, by implementing a tracking system for the allocation and use of resources for children throughout the budget;

(b) Ensure transparent and participatory budgeting through public dialogue, including with children;

(c) Define budgetary lines for children in disadvantaged or vulnerable situations that may require affirmative social measures and make sure that those budgetary lines are protected even in situations of economic recessions;

(d) Regularly conduct child rights impact assessments of budget and economic decision-making processes and outcomes, including austerity measures, in areas that are directly or indirectly related to children's rights;

(e) Establish mechanisms to monitor and evaluate the adequacy, efficacy and equitability of the distribution of resources allocated to the implementation of the Convention.

#### **Data collection**

13. The Committee recommends that the government of Northern Ireland expedite the finalization of a Child Rights Indicator Framework, covering all areas of the

**Convention and taking into account the conceptual and methodological framework set out in the Office of the United Nations High Commissioner for Human Rights (OHCHR) publication entitled Human Rights Indicators: A Guide to Measurement and Implementation.**

#### **Independent monitoring**

14. The Committee welcomes the increased independence of the Children's Commissioners in the four devolved administrations of the State party and the many initiatives that they have taken to ensure the promotion and protection of the rights of the child. Nevertheless, the Committee is concerned that the powers of the Commissioners in Northern Ireland and Wales are still limited and that the Commissioner in Scotland has not started exercising its mandate to conduct investigations on behalf of individual children.

15. **With reference to the Committee's general comment No. 2 (2003) on general measures of implementation, the Committee recommends that the State party:**

(a) **Further strengthen the independence of established Children's Commissioners, in line with the Paris Principles, and enable them, inter alia, to receive and investigate complaints from or on behalf of children concerning violations of their rights;**

(b) **Allocate to the Commissioners in all jurisdictions the necessary human and financial resources in order to carry out their mandate in an effective and coordinated manner.**

#### **International cooperation**

16. In the context of international development cooperation the Committee is concerned about the State party's funding of low-fee, private and informal schools run by for-profit business enterprises in recipient States. Rapid increase in the number of such schools may contribute to sub-standard education, less investment in free and quality public schools, and deepened inequalities in the recipient countries, leaving behind children who cannot afford even low-fee schools.

17. **The Committee recommends that the State party ensure that its international development cooperation supports the recipient States in guaranteeing the right to free compulsory primary education for all, by prioritizing free and quality primary education in public schools, refraining from funding for-profit private schools, and facilitating registration and regulation of private schools.**

#### **Children's rights and the business sector**

18. **With reference to its General Comment No. 16 (2013) on State obligations regarding the impact of business on children's rights, the Committee recommends that the State party:**

(a) **Integrate an explicit focus on children's rights, including the requirement for businesses to undertake child-rights due diligence, in the revised version of its first National Action Plan on Business and Human Rights;**

(b) **Establish and implement regulations to ensure that the business sector, including in the context of public procurement, complies with the rights of the child.**

## **B. Definition of the child (art. 1 of the Convention)**

19. The Committee recommends that the State party raise the minimum age of marriage to 18 years across all devolved administrations, Overseas Territories and Crown Dependencies.

## **C. General principles (arts. 2, 3, 6 and 12 of the Convention)**

### **Non-discrimination**

20. The Committee is concerned that:

(a) A number of provisions under the Equality Act (2010) exempt children from the protection against age discrimination, and in Northern Ireland, the proposed legislation on age discrimination excludes children under 16 years of age;

(b) Counter-terrorism measures do not enjoy public confidence due to the lack of transparency and they are widely perceived to have a discriminatory or stigmatizing effect on children, in particular Muslim children;

(c) Many children in certain groups, including Roma, Gypsy and Traveller children, children of other ethnic minorities, children with disabilities, children in care, migrant, asylum-seeking and refugee children, as well as lesbian, gay, bisexual, transgender and intersex children (LGBTI), continue to experience discrimination and social stigmatization, including through the media.

21. **The Committee recommends that the State party:**

(a) **Consider the possibility of expanding legislation to provide protection of all children under 18 years of age against discrimination on the grounds of their age;**

(b) **Strengthen the oversight mechanism, including regular independent reviews, to assess and ensure that the implementation of the counter-terrorism and counter-extremism measures, including the Prevent Strategy (2011), will not have a discriminatory or stigmatising impact on any group of children;**

(c) **Strengthen its awareness-raising and other preventive activities against discrimination and stigmatization, and, if necessary, take temporary special measures for the benefit of children in vulnerable situations.**

22. **The Committee recalls its previous recommendation that the State party take urgent measures to address the “intolerance of childhood” and general negative public attitude towards children, especially adolescents, within society, including in the media.**

23. The Committee is concerned that, despite some improvements, legal discrimination against certain children remains in Overseas Territories.

24. **The Committee recommends that the Government of UK further encourage the governments of Overseas Territories to fully abolish discrimination under the law against children who are “non-belongers”, including migrant children, and children born out of wedlock.**

### **Best interests of the child**

25. The Committee regrets that the right of the child to have his or her best interests taken as a primary consideration is still not reflected in all legislative and policy matters and judicial decisions affecting children, especially in the area of alternative care, child

welfare, immigration, asylum and refugee status, criminal justice, and in the armed forces. Furthermore, in some Overseas Territories, there is no legal provision to guarantee this right.

26. **With reference to its general comment No 14 (2013) on the right of the child to have his or her best interests taken as a primary consideration, the Committee recommends that the State party, in all parts of its territory:**

(a) **Ensure that this right is appropriately integrated and consistently interpreted and applied in all legislative, administrative and judicial proceedings and decisions as well as in all policies, programmes and projects that are relevant to and have an impact on children;**

(b) **Develop procedures and criteria to provide guidance to all relevant persons in authority for determining the best interests of the child in every area and for giving it due weight as a primary consideration.**

#### **Right to life, survival and development**

27. The Committee is concerned that:

(a) Research indicates that the infant and child mortality in the State party, including suicide, is linked with the level of social and economic deprivation;

(b) Mechanisms for reviews of any unexpected death or serious injury involving children have not been established or operationalized in most parts of the State party.

28. **The Committee recommends that the State party:**

(a) **Address underlying determinants of infant and child mortality, including social and economic deprivation and inequality;**

(b) **Introduce automatic, independent and public reviews of unexpected death or serious injury involving children, including in custody, care and mental health care institutions in all the territory of the State party.**

#### **Respect for the views of the child**

29. The Committee is concerned that:

(a) Children's views are not systematically heard in policy-making on issues that affect them;

(b) The reforms concerning the reduction of legal aid in all four jurisdictions appear to have a negative impact on the right of children to be heard in judicial and administrative proceedings affecting them;

(c) Youth parliaments have not been established or operationalized in Northern Ireland, Wales, Montserrat, Turks and Caicos and Jersey;

(d) Many children feel that they are not listened to by their social workers, reviewing officers, paid carers, judges, personnel working with children in conflict with the law, or other professionals, in matters affecting them, including in family proceedings.

30. **With reference to its general comment No. 12 (2009) on the right of the child to be heard, the Committee recommends that the State party:**

(a) **Establish structures for the active and meaningful participation of children and give due weight to their views in designing laws, policies, programmes and services at the local and national level, including in relation to discrimination, violence, sexual exploitation and abuse, harmful practices, alternative care, sexual and**

reproductive education, leisure and play. Particular attention should be paid to involving younger children and children in vulnerable situations, such as children with disabilities;

(b) Assess the impact and expedite the review of the reforms on legal aid in England, Wales and Scotland, and conduct child rights impact assessment of the proposed reforms in Northern Ireland and Jersey, in order to ensure that such reforms do not negatively affect children's access to justice, and guarantee effective participation of children in such assessment and review;

(c) Expedite the establishment of Youth Parliaments in all devolved administrations and territories as permanent fora for children's effective engagement with national legislative processes on issues that affect them;

(d) Ensure that children are not only heard but also listened to and their views given due weight by all professionals working with children.

31. The Committee notes increasing demands from children for a right to vote from the age of 16 years and that in Scotland, voting age has been extended to 16 and 17 year olds for local and Scottish Parliament elections.

32. The Committee encourages the State party and devolved administrations to conduct consultations with children on the voting age. Should the voting age be lowered, the Committee recommends that the State party ensure that it is supported by active citizenship and human rights education in order to ensure early awareness of children that rights are to be exercised as part of citizenship, with autonomy and responsibility, and that the measure does not lend itself to undue influence.

#### **D. Civil rights and freedoms (arts. 7, 8, and 13-17)**

##### **Birth registration / Name and nationality**

33. The Committee recommends that the State party encourage its Overseas Territories to revise the local legislation and the British Nationality Act in order to guarantee the right of migrant children, in particular those children born in the territories, to a birth certificate.

##### **Freedom of thought, conscience and religion**

34. The Committee is concerned that pupils are required by law to take part in a daily religious worship which is "wholly or mainly of a broadly Christian character" in publicly funded schools in England and Wales, and that children do not have the right to withdraw from such worship without parental permission before entering the sixth form. In Northern Ireland and Scotland, children do not have right to withdraw from collective worship without parental permission.

35. The Committee recommends that the State party repeal legal provisions for compulsory attendance at collective worship in publicly funded schools and ensure that children can independently exercise the right to withdraw from religious worship at school.

##### **Freedom of association and peaceful assembly**

36. In order to fully guarantee children's right to freedom of movement and peaceful assembly, the Committee recommends that the State party:

(a) Prohibit the use of mosquito devices (acoustic youth dispersal devices) in public spaces;

(b) **Collect data on measures used against children, including children aged 10-11 years, to deal with anti-social behaviours, as well as dispersal, and monitor the criteria and proportionality of their use.**

**Right to privacy**

37. **The Committee recommends that the State party:**

(a) **Prohibit the use of non-statutory stop-and-search checks against children;**

(b) **Ensure that the statutory use of the stop-and-search checks is proportionate, taking into consideration the age and maturity of the child, and non-discriminatory;**

(c) **Regularly collect, analyse and publish data relating to the use of stop and search on children, disaggregated by age, sex, disability, geographic location, ethnic origin and socioeconomic background.**

**E. Violence against children (arts. 19, 24, para.3, 28, para. 2, 34, 37 (a) and 39)**

**Torture and other cruel or degrading treatment or punishment**

38. The Committee is concerned about:

(a) Tasers, and in the case of Northern Ireland, Attenuating Energy Projectiles (AEPs), being used against children by the police in the four devolved administrations;

(b) The increased use of restraint and other restrictive interventions against children in custodial settings in England and Wales, and the lack of data on the use of restraint in other parts of the State party;

(c) The use of physical restraint on children to maintain good order and discipline in Young Offenders' Institutions and the use of pain-inducing techniques on children in institutional settings in England, Wales and Scotland, and the lack of a comprehensive review of the use of restraint in institutional settings in Northern Ireland;

(d) The use of restraint and seclusion on children with psycho-social disabilities, including children with autism, in schools.

39. **With reference to the Committee's general comment No. 13 (2011) on the right of the child to freedom from all forms of violence and Sustainable Development Goal 16, Target 16.2, the Committee urges the State party to:**

(a) **Prohibit the use of electrical discharge weapons, such as Taser guns, AEPs (Northern Ireland) and any other harmful devices on children and systematically collect and publish age disaggregated data on their use in order to monitor the implementation of such prohibition;**

(b) **Abolish all methods of restraint against children for disciplinary purposes in all institutional settings, both residential and non-residential, and ban the use of any technique designed to inflict pain on children;**

(c) **Ensure that restraint is used against children exclusively to prevent harm to the child or others and only as a last resort;**

(d) **Systematically and regularly collect and publish disaggregated data on the use of restraint and other restrictive interventions on children in order to monitor**



the appropriateness of discipline and behaviour management for children in all settings, including in education, custody, mental health, welfare and immigration settings.

#### **Corporal punishment**

40. With reference to its general comment No. 8 and its previous recommendations, the Committee urges the State party, in all devolved administrations, Overseas Territories and Crown Dependencies, to:

- (a) Prohibit as a matter of priority all corporal punishment in the family, including through the repeal of all legal defences, such as “reasonable chastisement”;
- (b) Ensure that corporal punishment is explicitly prohibited in all schools and educational institutions and all other institutions and forms of alternative care;
- (c) Strengthen its efforts to promote positive and non-violent forms of discipline and respect for children’s equal right to human dignity and physical integrity, with a view to eliminating the general acceptance of the use of corporal punishment in child-rearing.

#### **Violence, abuse and neglect**

41. The Committee welcomes the introduction of a new domestic abuse offence to capture coercive and controlling behaviour in intimate and familial relationships, as introduced in the Serious Crime Act (2015) in England and Wales. However, the Committee is concerned at:

- (a) The high prevalence of domestic violence and gender-based violence against women and girls, which have a negative impact on children whether as victims or witnesses;
- (b) The Children and Young Persons Act (1933) defining a child as a person under the age of 16 for the purpose of the criminal law on child abuse and neglect;
- (c) The lack of due respect for the views of children in responses to violence against children and in family law proceedings.

42. With reference to its general comment No. 13 (2011) and Sustainable Development Goal 16, Target 16.2, the Committee recommends that the State party:

- (a) Revise the Children and Young Persons Act (1933) in order to protect all children under 18 years from child abuse and neglect;
- (b) Strengthen systematic data collection and recording of information on violence against children, including domestic violence, gender-based violence, abuse and neglect, in all settings, as well as information sharing and referral of cases among relevant sectors;
- (c) Increase the number of social workers and strengthen their capacity to address violence against children;
- (d) Give due weight to the views of children concerned in the responses to violence, including in criminal and family law proceedings;
- (e) Consider ratifying the Council of Europe Convention on preventing and combating violence against women and domestic violence.

**Sexual exploitation and abuse**

43. The Committee welcomes measures taken to address child sexual exploitation and abuse, including the WePROTECT Model National Response as well as strong child and civil society participation in the development of a multi-sectoral action plan and relevant guidance and tools in Wales, and in the independent inquiry on the phenomenon in Northern Ireland. However, the Committee is concerned about:

- (a) Recent allegations of widespread child sexual exploitation and abuse by high profile figures, by organized gangs as well as in institutional settings;
- (b) The increasing risk of online child sexual exploitation and abuse;
- (c) The insufficient respect for the views of children in efforts to prevent, detect and respond to such exploitation and abuse;
- (d) The low rate of prosecution of child sexual exploitation and abuse.

44. **The Committee recommends that the State party, including devolved governments, Overseas Territories and Crown Dependencies:**

**(a) Systematically collect and publish comprehensive and disaggregated data on child exploitation and abuse, including through mandatory reporting, in all settings;**

**(b) Develop and implement comprehensive multi-sectoral strategies on child exploitation and abuse, including online, to ensure effective prevention, early detection and intervention, at national as well as at devolved levels, in Overseas Territories and Crown Dependencies;**

**(c) Implement the recommendations of the Marshall Inquiry into child sexual exploitation in Northern Ireland;**

**(d) Further develop comprehensive services to support children who are victims or at risk of sexual exploitation and abuse;**

**(e) Strengthen the capacity of law enforcement authorities and the judiciary to detect and prosecute child sexual exploitation and abuse, and grant effective remedies to the child victims;**

**(f) Consider ratifying the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse.**

**Harmful practices**

45. The Committee welcomes the enactment of the Serious Crime Act (2015) in England and Wales which enabled the courts to issue protection orders to protect potential or actual child victims of female genital mutilation. However the Committee is concerned at:

(a) The significant number of children who are affected by harmful practices, including female genital mutilation and forced marriage of girls and boys aged 16-17 years in some parts of the State party;

(b) Cases of medically unnecessary surgeries and other procedures on intersex children before they are able to provide their informed consent, which often entail irreversible consequences and can cause severe physical and psychological suffering, and the lack of redress and compensation in such cases.

46. **With reference to its general comment No. 18 on harmful practices (2014), the Committee recommends that the State party:**

(a) Take effective measures to ensure that marriage of children of 16-17 years of age takes place only in exceptional circumstances and is based on the full, free and informed consent of the concerned children;

(b) Continue and strengthen preventive and protection measures to address the issue of harmful practices, including collecting data, training of relevant professionals, awareness-raising programmes, provision of protection and care to the child victims and the prosecution of perpetrators of these acts;

(c) Ensure that no one is subjected to unnecessary medical or surgical treatment during infancy or childhood, guarantee bodily integrity, autonomy and self-determination to children concerned, and provide families with intersex children with adequate counselling and support;

(d) Provide redress to the victims of such treatment;

(e) Educate medical and psychological professionals on the range of sexual, and related biological and physical, diversity and on the consequences of unnecessary interventions for intersex children.

#### **Freedom of the child from all forms of violence**

47. The Committee is concerned that:

(a) Bullying, including cyber bullying, remains a serious and widespread problem, particularly against LGBTI children, children with disabilities and children belonging to minority groups, including Roma, Gypsy and Traveller children.

(b) In Northern Ireland, children face violence, including shootings, carried out by non-State actors involved in paramilitary-style attacks, as well as recruitment by such non-State actors.

48. The Committee recommends that the State party:

(a) Intensify its efforts to tackle bullying and violence in schools, including through teaching human rights, building capacities of students and staff members to respect diversity at school, improving students' conflict resolution skills, conducting regular monitoring of incidences of bullying at school, and involving children in the initiatives and monitoring aimed at eliminating bullying;

(b) In the light of the recommendations resulting from the day of general discussion on digital media and children's rights, train children, teachers and families on the safe use of information and communication technologies, raise awareness among children on the severe effects that online bullying can have on their peers, and increase the involvement of social media outlets in the efforts to combat cyber-bullying.

(c) Take immediate and effective measures to protect children from violence by non-State actors involved in paramilitary-style attacks as well as from recruitment by such actors into violent activities, including through measures relating to transitional and criminal justice.

**F. Family environment and alternative care (arts. 5, 9-11, 18 (paras. 1 and 2), 20-21, 25 and 27 (para. 4))****Family environment**

49. The Committee acknowledges that there are good practices in the State party and the devolved administrations in providing childcare to those who need it. However, the Committee is concerned about the negative effect of the high cost of childcare on children and their family environment.

**50. The Committee recommends that the State party and the devolved governments conduct a rigorous child rights impact assessment of the recent reduction of funding for childcare and family support and adjust the family support policy in order to make childcare services available to all those who need it.**

**Children deprived of a family environment**

51. The Committee is concerned about:

(a) The increase in the number of children in care in England, Wales, and Northern Ireland, and the high rate of children in care in Scotland;

(b) Cases where early intervention measures have not been timely carried out, parents have not been provided with adequate family support, and the best interests of the child have not been properly assessed in the decision of taking a child into care. Children have reportedly been removed from their biological families due to the family's economic situation or because a foster family may provide a more beneficial environment for the child;

(c) The frequent changes of social workers for children in care, and children often experiencing more than two family placements in a year which negatively affects all aspects of their life;

(d) Children placed at a distance from their biological families which prevents them from keeping in contact, and siblings being separated from each other without proper reason;

(e) The practice of children being placed in secure accommodation in Northern Ireland ;

(f) Children leaving foster care or residential care not receiving proper support and counselling, including on their future plans, and often having to live far away from their former carers;

(g) The adoption procedure in Northern Ireland remaining outdated and not in line with the Convention.

**52. Drawing the State party's attention to the Guidelines for the Alternative Care of Children (General Assembly resolution 64/142, annex), the Committee emphasizes that conditions directly and uniquely attributable to poverty should never be the sole justification for removing a child from parental care. The Committee recommends that the State party:**

**(a) Intensify its efforts to render appropriate assistance to parents and legal guardians, including informal kinship carers, in the performance of their child-rearing responsibilities;**

(b) Ensure that the removal of children from their families is always subject to thorough investigation, is in accordance with the best interests of the child and is only used as a measure of last resort;

(c) Wherever possible find a placement for the child which will facilitate contact with his or her biological parents and siblings;

(d) Ensure that secure accommodation in Northern Ireland is only used as a measure of last resort and for the shortest possible period of time, address the reasons for repeated or lengthy stays in such accommodation, and develop alternatives to secure accommodation;

(e) Take all measures necessary to provide stability for children in care, including efforts to retain social workers and to avoid unnecessary changes in placement;

(f) Inform and consult with children from an early stage on plans for their care and transition and provide sufficient support for care leavers, including for accommodation, employment or further education;

(g) Expedite the approval and enactment of the Adoption and Children Bill in Northern Ireland.

#### **Children of incarcerated parents**

53. The Committee is concerned that due to insufficient co-operation between the courts and the child protection authorities, a parent may be sentenced to imprisonment and directly incarcerated while his/her children are left alone without proper care.

54. **The Committee recommends that the State party:**

(a) Ensure that child protection authorities are always informed when a person who has a child (children) is imprisoned in order to avoid situations where children are left unattended.

(b) Take into account the best interests of the child as a primary consideration when sentencing parents, avoiding, as far as possible, sentences for parents which lead to their being separated from their children.

### **G. Disability, basic health and welfare (arts. 6, 18 (para. 3), 23, 24, 26, 27 (paras. 1-3) and 33)**

#### **Children with disabilities**

55. The Committee is concerned that:

(a) Many children with disabilities do not see that their views are given due weight in making personal decisions in their life, including choice of support and future;

(b) Many children with disabilities are still placed in special schools or special units in mainstream schools and many school buildings and facilities are not made fully accessible to children with disabilities;

(c) Provision of the support for transition to adulthood is often neither sufficient, timely nor well-coordinated, and does not ensure fully-informed decision by children with disabilities;

56. **With reference to its general comment No.9 (2006) on the rights of children with disabilities, the Committee recommends that the State party adopt a human**

**rights-based approach to disability, set up a comprehensive strategy for the inclusion of children with disabilities and:**

**(a) Ensure full respect of the rights of children with disabilities to express their views and to have their views given due weight in all decision-making that affect them, including on access to and choice of personal support and education;**

**(b) Set up comprehensive measures to further develop inclusive education, ensure that inclusive education is given priority over the placement of children in specialized institutions and classes, and make mainstream schools fully accessible to children with disabilities;**

**(c) Provide children with disabilities with a comprehensive and integrated package of services for transition to adulthood, from a sufficiently early stage, by coordinating legislation, policy and programmes across relevant sectors, and ensure fully-informed decision by children with disabilities on their personal choice in the transition, by involving them in the design of services and by providing advice and information on available options.**

#### **Health and health services**

57. The Committee is concerned at the inequality in access to health services and health outcome, negatively affecting Roma, Gypsy and Traveller children, children belonging to other ethnic minorities, migrant children, children living in poverty and in deprived areas, children in care and in custody, children living with HIV/AIDS and LGBTI children.

58. **With reference to its general comment no. 15 (2013) on the right of the child to the enjoyment of the highest attainable standard of health, the Committee recommends that the State party, the governments of devolved administrations, Overseas Territories and Crown Dependencies develop comprehensive and multi-sectoral strategies on child health:**

**(a) With allocation of the maximum extent of available resources and a robust monitoring mechanism;**

**(b) With a strong focus on eliminating inequalities in health outcome as well as in access to health services;**

**(c) Addressing underlying social determinants of health.**

#### **Mental health**

59. The Committee welcomes the significant efforts undertaken both at the national and devolved levels in order to improve mental health services. The Committee is nevertheless concerned that:

(a) The number of children with mental health needs is increasing across the State party, including those related to alcohol, drug and substance abuse;

(b) The number of child suicides has been steadily increasing in Northern Ireland in the past ten years;

(c) Children with mental health conditions are often treated far away from home (England and Scotland), do not receive adequate child-specific attention and support, are placed in adult facilities, or may even be detained in police custody due to shortage of places in mental health clinics;

(d) The new shortened waiting period targets established or planned in England, Wales and Scotland may not be realized in practice due to a lack of infrastructure (number of specialists and clinics/centres);

- (e) The significant investments in improving mental health services will not necessarily lead to an improvement of the quality of services;
- (f) Therapeutic community-based services have not been sufficiently developed;
- (g) Children under the age of 16 years are excluded from the protection under the Mental Capacity Act (2005) in England and Wales, as well as under the Mental Capacity Act (2016) in Northern Ireland, including with regard to medical treatment without consent.

60. **The Committee recommends that the State party:**

**(a) Regularly collect comprehensive data on child mental health, disaggregated across the life course of the child, with due attention to children in vulnerable situations, and covering key underlying determinants;**

**(b) Rigorously invest in child and adolescent mental health services and develop strategies at national and devolved levels, with clear time frames, targets, measureable indicators, effective monitoring mechanisms and sufficient human, technical and financial resources. Such strategy should include measures to ensure availability, accessibility, acceptability, quality and stability of such services, with particular attention to children at greater risk, including children living in poverty, children in care and children in contact with the criminal justice system;**

**(c) Expedite the prohibition of placement of children with mental health needs in adult psychiatric wards or police stations, while ensuring provision of age-appropriate mental health services and facilities;**

**(d) Support and develop therapeutic community-based services for children with mental health conditions;**

**(e) Review current legislation on mental health to ensure that the best interests and the views of the child are taken duly into account in cases of mental health treatment of children below the age of 16, in particular with regard to hospitalization and treatment without consent.**

61. The Committee welcomes the publication of new Guidelines for the diagnosing and management of the attention deficit hyperactivity disorder (ADHD) and related disorders by the National Institute for Health and Care Excellence. The Committee is however concerned that:

(a) The actual number of children that are given methylphenidate or other psychotropic drugs is not available;

(b) There is reportedly a significant increase in the prescription of psycho-stimulants and psychotropic drugs to children with behavioural problems, including for children under 6 years of age, despite growing evidence of the harmful effects of these drugs.

62. **The Committee recommends that the State party:**

**(a) Regularly collect data on the amount and regularity of psychotropic drugs (Ritalin, Concerta etc.) being prescribed to children, and make the data transparent;**

**(b) Ensure that prescription of drugs is used as a measure of last resort and only after an individualized assessment of the best interests of that child, and that children and their parents are properly informed about the possible side effects of this medical treatment and about non-medical alternatives;**

(c) **Establish a system of independent expert monitoring of the ADHD and related disorders diagnoses, and undertake a study on the root causes of their increase, also aimed at improving the accuracy of diagnoses.**

#### **Adolescent health**

63. The Committee notes with appreciation a steady decrease in teenage pregnancies in the State party during the period of review. However, the Committee is concerned that:

(a) The rate of teenage pregnancies is still higher than European Union average and higher in more deprived areas;

(b) Relationships and sexuality education is not mandatory in all schools, its contents and quality varies depending on the school, and LGBT children do not have access to accurate information on their sexuality;

(c) In Northern Ireland, abortion is illegal in all cases except where continuance of the pregnancy threatens the life of the mother, and is sanctioned with life imprisonment.

64. **With reference to its general comments No.4 (2003) on adolescent health and No. 15 (2013), the Committee recommends that the State party:**

(a) **Develop and adopt a comprehensive sexual and reproductive health policy for adolescents, with particular attention to reducing inequalities and with participation of adolescents;**

(b) **Ensure that meaningful sexual and reproductive health education is part of the mandatory school curriculum for all schools, including academies, special schools and youth detention centres, in all areas of the State party. Such education should provide age-appropriate information on: confidential sexual and reproductive health-care services; contraceptives; prevention of sexual abuse or exploitation, including sexual bullying; available support in cases of such abuse and exploitation; and sexuality, including that of LGBTchildren;**

(c) **Decriminalize abortion in Northern Ireland in all circumstances and review its legislation with a view to ensuring girls' access to safe abortion and post-abortion care services. The views of the child should always be heard and respected in abortion decisions.**

#### **Nutrition**

65. The Committee is concerned about the:

(a) High prevalence of overweight and obesity among children in many parts of the State party;

(b) Lack of comprehensive data on child food security, while some research indicate that currently available programmes, such as free school meal programmes, may not be effectively responding to child hunger;

(c) Extremely low rate of breastfeeding, and only one percent of women maintaining exclusive breast feeding for six months in 2010, and inadequate regulation of marketing of breastmilk substitutes.

66. **The Committee recommends that the State party:**

(a) **Systematically collect data on food security and nutrition for children, including those relevant to breast-feeding, overweight and obesity, in order to identify root causes of child food insecurity and malnutrition;**



**(b) Regularly monitor and assess effectiveness of policies and programmes on food security and nutrition of children, including school meal programmes and food banks, as well as programmes addressing infants and young children;**

**(c) Promote, protect and support breastfeeding in all policy areas where breastfeeding has an impact on child health, including obesity, certain non-communicable diseases, and mental health, and fully implement the International Code of Marketing of Breastmilk Substitutes.**

#### **Environmental health**

67. The Committee is concerned at the high level of air pollution that directly affects child health in the State party and contributes to the negative impact of climate change affecting various rights of the child, both in the State party and in other countries.

**68. With reference to Sustainable Development Goal 1, Target 1.5, the Committee recommends that the State party, including the devolved administrations in relation to devolved matters;**

**(a) Set out a clear legal commitment, with appropriate technical, human and financial resources, to scale up and expedite the implementation of plans to reduce air pollution levels, especially in areas near schools and residential areas;**

**(b) Place children's rights at the centre of national and international climate change adaptation and mitigation strategies, including through its new domestic climate strategy, as well as in the framework of its international climate change programmes and financial support.**

#### **Standard of living**

69. The Committee is seriously concerned that:

(a) The rate of child poverty remains high with a disproportionate representation of children with disabilities, children living in a family or household with person(s) with disability, households with many children, and children belonging to ethnic minority groups, and affecting children in Wales and Northern Ireland the most.

(b) The Welfare Reform and Work Act (2016), which amends the Child Poverty Act (2010), repealed the statutory target on the eradication of child poverty by 2020 and the statutory obligation of the UK Government and the governments of England, Scotland and Wales to produce child poverty strategies;

(c) Recent amendments to the Tax Credits Act (2002), the Welfare Reform Act (2012) and the Welfare Reform and Work Act (2016) have limited the entitlement to child tax credits and social benefits (the "household benefit cap" and the "bedroom tax"), regardless of the needs of the households;

(d) During the period of review, the number of homeless households with dependent children has increased in England and Northern Ireland, as well as the number of homeless families, including those with infants, staying in temporary accommodation in all four jurisdictions;

(e) In Scotland, adequate and culturally sensitive accommodation for Roma, Gypsy and Traveller children remains insufficient.

**70. The Committee draws the attention of the State party to the Sustainable Development Goal 1, Target 1.2, on poverty reduction and urges the State party to:**

**(a) Set up clear accountability mechanisms for the eradication of child poverty, including by re-establishing concrete targets with a set timeframe and**

measurable indicators, and continue regular monitoring and reporting on child poverty reduction in all parts of the State party;

(b) Ensure clear focus on the child in the State party's poverty reduction strategies and action plans, including in the new "Life Chances Strategy", and support production and implementation of child poverty reduction strategies in devolved administrations;

(c) Conduct a comprehensive assessment of the cumulative impact of the full range of social security and tax credit reforms introduced between 2010 and 2016 on children, including children with disabilities and children belonging to ethnic minority groups;

(d) Where necessary, revise the mentioned reforms in order to fully respect the right of the child to have his or her best interests taken as a primary consideration, taking into account the different impact of the reform on different groups of children, particularly those in vulnerable situations;

(e) Strictly implement the legal prohibition of prolonged placement of children in temporary accommodation by public authorities in England, Wales and Scotland, and enact similar legislation in Northern Ireland;

(f) Take necessary measures to reduce homelessness and to progressively guarantee all children stable access to adequate housing which provides physical safety, adequate space, protection against the threats to health and structural hazards, including cold, damp, heat and pollution, and accessibility for children with disabilities.

(g) In Scotland, introduce a statutory duty for local authorities to provide safe and adequate sites for Travellers, while ensuring meaningful participation of Roma, Gypsy and Traveller communities, including children, in planning and decision-making processes.

## **H. Education, leisure and cultural activities (arts. 28, 29, 30 and 31)**

### **Education, including vocational training and guidance**

71. The Committee welcomes the gradual closing of inequality gaps in education attainment and the decreasing use of exclusion from school. However, the Committee is concerned that:

(a) Substantial inequalities persist in educational attainment particularly for boys, children living in poverty, Roma, Gypsy and Traveller children, children with disabilities, children in care and newcomer children;

(b) Among children subject to permanent or temporary school exclusions, there is a disproportionate number of boys, Roma, Gypsy and Traveller children, children of Caribbean descendant, children living in poverty and children with disabilities, and with the exception of Scotland, only children with disabilities have the right to appeal against their exclusion.

(c) Children with disabilities, in particular children with psycho-social disabilities and other "special educational needs", are often subject to the practice of "informal" exclusion or "taught off-site" to control their behaviour;

(d) Isolation rooms are used for disciplining children;

(e) In Northern Ireland segregation of schools by religion persists;

(f) Many children living in poverty, particularly boys, do not meet the expected level of language development at pre-school level, which has a negative impact on their primary education, hindering their development throughout their life.

**72. The Committee recommends that the State party:**

(a) **Enhance its efforts to reduce the effects of the social background or disabilities of children on their achievement in school and to guarantee the right of all children to a truly inclusive education in all parts of the State party, including for newcomer children without experiences of formal education. In this regard, closely monitor and if necessary, regulate the establishment and management of academies and free schools in England, and abolish the practice of unregulated admission tests to post-primary education in Northern Ireland;**

(b) **Use the disciplinary measure of permanent or temporary exclusion as a means of last resort only, forbid and abolish the practice of “informal” exclusions, and further reduce the number of exclusions by working closely with social workers and educational psychologists in school and using mediation and restorative justice;**

(c) **Ensure that children have the right to appeal against their exclusion, and are provided with legal advice, assistance and, where appropriate, representation for those without means;**

(d) **Abolish the use of isolation rooms;**

(e) **In Northern Ireland, actively promote a fully integrated education system and carefully monitor the provision of shared education, with the participation of children, in order to ensure that it facilitates social integration;**

(f) **Taking note of Sustainable Development Goal 4, Target 4.2 on access to quality early childhood development services, allocate sufficient human, technical and financial resources for the development and expansion of early childhood care and education, based on a comprehensive and holistic policy of early childhood development, with special attention to the children in the most vulnerable situations.**

(g) **Make children’s rights education mandatory.**

#### **Rest, leisure, recreation and cultural and artistic activities**

73. The Committee welcomes the initiative of the government of Wales to adopt a play policy and integrate children’s right to play systematically in relevant legislation and other relevant policies. However, the Committee is concerned about:

(a) The withdrawal of a play and leisure policy in England, and under-funding of play and leisure policies in Northern Ireland, Scotland and Wales;

(b) Insufficient places and facilities for play and leisure for children, in particular those accessible for children with disabilities and children in marginalized and disadvantaged situations, as well as public space for adolescents to socialize.

**74. With reference to its general comment No 17 (2013) on the right of the child to rest, leisure, play, recreational activities, cultural life and the arts, the Committee recommends that the State party, including the governments of devolved administrations:**

(a) **Strengthen its efforts to guarantee the right of the child to rest and leisure and to engage in play and recreational activities appropriate to the age of the child, including by adopting and implementing play and leisure policies with sufficient and sustainable resources;**

(b) Provide children, including those with disabilities and children in marginalized and disadvantaged situations, with safe, accessible, inclusive and smoking-free spaces for play and socialization and public transport to access such spaces;

(c) Fully involve children in planning, designing and monitoring the implementation of play policies and activities relevant to play and leisure, at community, local and national levels.

**I. Special protection measures (arts. 22, 30, 32-33, 35-36, 37 (b)-(d), 38, 39 and 40)**

**Asylum-seeking, refugee and migrant children**

75. The Committee welcomes the decision made by the State party in December 2010 to end the detention of children for immigration purposes. Nevertheless, the Committee is concerned that:

(a) Reliable data on asylum-seeking children, including those whose age is disputed, remain unavailable;

(b) Not all unaccompanied children have access to an independent guardian or legal advice in the course of immigration and asylum procedures;

(c) Under the “Assessing Age” Asylum Instruction of the Home Office, children can be assessed as adults based on their physical appearance;

(d) Children can be detained in the course of asylum processes, including in short-term holding facilities at the entry into the State party, and age disputed children seeking asylum can be detained in adult facilities;

(e) Unaccompanied and separated refugee children within and outside of the State party face restrictions on family reunification;

(f) Asylum-seeking, refugee and migrant children and their families face difficulty in accessing basic services, such as education and health care, and are at high risk of destitution;

(g) The Immigration Act (2016) removed the entitlement of unaccompanied children in care with an irregular or unresolved immigration status to leaving care support and adopted the ‘deport first, appeal later’ scheme which allows migrants to appeal against the refusal of their stay only from outside of the UK, including in cases where such deportation might undermine family unity for migrant children.

(h) Children are returned to the country of origin or habitual residence without adequate safeguards.

76. **With reference to its general comment No. 6 (2005) on treatment of unaccompanied and separated children outside their country of origin, the Committee recommends that the State party:**

(a) **Systematically collect and publish disaggregated data on the number of children seeking asylum, including those whose age is disputed;**

(b) **Establish statutory independent guardians for all unaccompanied and separated children throughout the State Party;**

(c) **Conduct age assessments only in cases of serious doubt through multidisciplinary and transparent procedures taking into account all aspects,**

including the psychological and environmental aspects of the person under assessment;

- (d) Cease the detention of asylum-seeking and migrant children;
- (e) Review its asylum policy in order to facilitate family reunion for unaccompanied and separated refugee children within and outside of the State party, including through implementation of the EU Dublin III regulation;
- (f) Provide sufficient support to migrant, refugee and asylum-seeking children to access basic services;
- (g) Review the Immigration Act (2016) in order to ensure its compatibility with the Convention;
- (h) Ensure that when the return of children occurs, this happens with adequate safeguards, including a formal best interests determination, effective family tracing that includes individual risk and security assessments, and appropriate reception and care arrangements.

#### **Administration of juvenile justice**

77. The Committee notes that the Scottish government is open to raising the minimum age of criminal responsibility and that an Advisory Group was established to explore these issues and develop recommendations for consultation (2016). The Committee also notes that Montserrat's Criminal Justice Bill, due to be enacted in 2016, will raise the minimum age from 10 to 12 and reform the Juvenile Justice System to protect the rights of children accused of committing offences, and that the Virgin Islands, with assistance of UNICEF Caribbean, plans to develop a comprehensive Juvenile Justice Strategy . However, the Committee is concerned that:

- (a) The minimum age of criminal responsibility remains 8 years of age in Scotland and Turks and Caicos Islands and 10 years for the rest of the State party;
- (b) Some children are tried in adult courts;
- (c) Life imprisonment of children, in the form of "detention during Her Majesty's pleasure" in England and Wales, "detention during the please of the Secretary of State" in Northern Ireland and "detention without limit of time" in Scotland, is mandatory for murder committed while the offender was under the age of 18;
- (d) The number of children in custody remains high, with disproportionate representation of ethnic minority children, children in care, and children with psycho-social disabilities, and detention is not always applied as a measure of last resort;
- (e) There are occasions where children are held in the same places of deprivation of liberty for adults;
- (f) Access to education and health services, including mental health services, is insufficient for children in custody;
- (g) Segregation, including solitary confinement, is sometimes used for children in custody, including in Young Offending Institutions.

78. **With reference to its general comment No. 10 (2007) on children's rights in juvenile justice, the Committee recommends the State party to bring its juvenile justice system, including in all devolved administrations, the Overseas Territories and the Crown Dependencies, fully into line with the Convention and other relevant standards. In particular, the Committee recommends that the State party:**

- (a) **Raise the minimum age of criminal responsibility in accordance with acceptable international standards;**
- (b) **Ensure that children in conflict with the law are always dealt with within the juvenile justice system up to the age of 18, and that diversion measures do not appear in children's criminal records;**
- (c) **Abolish the mandatory imposition of life imprisonment for children for offences committed while they are under the age of 18;**
- (d) **Establish the statutory principle that detention should be used as a measure of last resort and for the shortest possible period of time and ensure that detention is not used discriminatorily against certain groups of children;**
- (e) **Ensure that child detainees are separated from adults in all detention settings;**
- (f) **Immediately remove all children from solitary confinement, prohibit the use of solitary confinement in all circumstances, and regularly inspect the use of segregation and isolation in child detention facilities.**

#### **Child victims and witnesses of crimes**

79. The Committee is seriously concerned that children who are victims or witnesses of crimes have to appear in court to be cross examined.

80. **The Committee recommends that the State party introduce, as a standard, video-recording of the interview with a child victim or witness during investigation and allow the video-recorded interview as evidence in court.**

#### **Follow up to the Committee's previous concluding observations and recommendations on the Optional Protocol on the sale of children, child prostitution and child pornography**

81. The Committee welcomes the ratification of the Council of Europe Convention on Action against Trafficking in Human Beings, as well as new legislation in this area, including the Modern Slavery Act (2015), the Human Trafficking and Exploitation Act (Northern Ireland) (2015), the Human Trafficking and Exploitation Act (Scotland) (2015), and the introduction of an independent statutory guardian for all unaccompanied children in Northern Ireland and Scotland, and for all potential child victims of trafficking in England and Wales. The Committee also notes the commitment of the United Kingdom in the fight against all forms of violence against children, including sexual abuse, exploitation and trafficking of children. Nevertheless, the Committee remains concerned that:

- (a) No measures have been taken to ensure that all children up to 18 years of age are protected from all types of offences covered by the Optional Protocol and to ensure that domestic legislation throughout the State party, including at devolved level, enables it to establish and exercise extraterritorial jurisdiction, without the dual criminality criterion, over all offences covered by the Optional Protocol;
- (b) The system for identification and referral of victims of the offences covered by the Optional Protocol and children who are at risk of being victims of such offences is weak;
- (c) Child victims of trafficking can still be prosecuted for the crimes that they are forced to commit in the context of trafficking, and the right to a statutory guardian for child victims of trafficking has not been fully operationalized in the State party;

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

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

**(a) Ensure that all children up to 18 years of age are protected from all types of offence covered by the Optional Protocol and that domestic legislation throughout the State party, including in its devolved administrations, enables it to establish and exercise extraterritorial jurisdiction, without the dual criminality criterion, over all the offences covered by the Optional Protocol;**

**(b) Strengthen the National Referral Mechanism for identifying trafficked and exploited children which is embedded in existing child protection procedures;**

**(c) Establish mechanisms and procedures to protect the rights of child victims of offences covered by the Optional Protocol, including establishing a clear obligation of non-prosecution, and ensure that they are treated as victims rather than criminals by the law enforcement and judicial authorities;**

**(d) Operationalize the provision of a competent and statutory guardian during the criminal justice process;**

**(e) Revise its legislation to ensure that all children up to 18 years of age are protected from all types of offence covered by the Optional Protocol.**

**Follow up to the Committee's previous concluding observations and recommendations on the Optional Protocol on children in armed conflict**

83. The Committee remains concerned that:

(a) The State party maintains the wide scope of its interpretative declaration on article 1 of the Optional Protocol which may permit the deployment of children to areas of hostilities and their involvement in hostilities under certain circumstances;

(b) The minimum age for voluntary recruitment as 16 years has not been changed and child recruits makes up 20% of the recent annual intake of United Kingdom Regular Armed Forces;

(c) The Army Board endorsed increasing the recruitment of personnel under 18 years old to avoid undermanning and children who come from vulnerable groups are disproportionately represented among recruits;

(d) Safeguards for voluntary recruitment are insufficient, particularly in light of the very low literacy level of the majority of under-18 recruits and the fact that briefing materials provided to child applicants and their parents or guardians do not clearly inform them of the risks and obligations that follow their enlistment;

(e) In the army, child recruits can be required to serve a minimum period of service up to two years longer than the minimum period for adult recruits.

**84. The Committee recommends that the State party:**

(a) Consider reviewing its position and raise the minimum age for recruitment into the armed forces to 18 years in order to promote the protection of children through an overall higher legal standard;

(b) Reconsider its active policy of recruitment of children into the armed forces and ensure that recruitment practices do not actively target persons under the age of 18 and ensure that military recruiters' access to school be strictly limited;

(c) In recruiting persons under the age of 18, strengthen its safeguards required by Article 3 of the Optional Protocol, in order to ensure that the recruitment is genuinely voluntary, and based on fully informed consent of the recruit as well as their parents and legal guardians, and ensure that recruitment does not have discriminatory impact on children of ethnic minorities and low-income families;

(d) Ensure that the minimum period of service applied to children when enlist into the army is no longer than that applied to adult recruits.

85. The Committee notes with concern that according to the Joint Doctrine Publication 1–10 for Captured Persons (CPERS) (2nd Edition, October 2011), only children under the age of 15 benefit from special protection.

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

#### **J. Ratification of the Optional Protocol on a communications procedure**

87. The Committee recommends that the State party, in order to further strengthen the fulfilment of children's rights, ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure.

#### **K. Ratification of international human rights instruments**

88. The Committee recommends that the State party, in order to further strengthen the fulfilment of children's rights, ratify the core human rights instruments to which it is not yet a party, namely, the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, the International Convention for the Protection of All Persons from Enforced Disappearance, the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, and the Optional Protocol to the International Covenant on Civil and Political Rights.

#### **L. Cooperation with regional bodies**

89. The Committee recommends that the State party cooperate with the Council of Europe on the implementation of the Convention and other human rights instruments, both in the State party and in other Council of Europe member States.



## V. Implementation and reporting

### A. Follow-up and dissemination

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

### B. Next report

91. The Committee invites the State party to submit its combined sixth and seventh periodic reports by 14 January 2022 and to include therein information on the follow-up to the present concluding observations. The report should be in compliance with the Committee's harmonized treaty-specific reporting guidelines adopted on 31 January 2014 (CRC/C/58/Rev.3) and should not exceed 21,200 words (see General Assembly resolution 68/268, para. 16). In the event that a report exceeding the established word limit is submitted, the State party will be asked to shorten the report in accordance with the above-mentioned resolution. If the State party is not in a position to review and resubmit the report, translation thereof for the purposes of consideration by the treaty body cannot be guaranteed.

92. The Committee also invites the State party to submit an updated core document, not exceeding 42,400 words, in accordance with the requirements for the common core document in the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents (HRI/GEN/2/Rev.6, chap. I) and General Assembly resolution 68/268 (para. 16).

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