

UK Children's Commissioners urge UK Government to protect children from austerity measures

All four UK Children's Commissioners today (1.7.15) called on the UK Government to stop making cuts to benefits and welfare reforms in order to protect children from the impact of its austerity measures. The call coincides with publication of their joint report to the UN on the country's record on children's rights over the last seven years and growing concern that the UK Government's commitment to reducing child poverty is to be diluted. The Children's Commissioners are alarmed at the way the UK Government's austerity measures and changes to the welfare system have pushed more children into poverty, with more set to be affected by the Budget announcement next week with up to £12bn of cuts expected to be announced.

Rates of child poverty remain unacceptably high. Under current UK Government policies child poverty figures are expected to continue to rise with 4.7 million children projected to be living in poverty by 2020¹. The Commissioners are deeply concerned about recent reports that the UK Government plans to repeal the Child Poverty Act 2010 which required the UK and devolved governments to put in place strategies and actions to eradicate child poverty.

With growing evidence that many families across the UK struggle to meet the basic needs of their children including adequate food, clothing and heating in winter due to rising living costs, falling wages and tax and benefit changes, the Children's Commissioners today called on the UK Government to urgently review all Budget and economic decisions to ensure that they do not push more children into poverty. This is in line with the UK Government's obligation to ensure the most socially deprived and most vulnerable children are prioritised in economic policy making². In parts of the UK higher property prices and rents coupled with stagnated wages mean more children living in inadequate housing and temporary accommodation. Austerity measures have also reduced support services including health, education, early intervention services and youth services.

Other key areas of concern highlighted in the Commissioners' report include:

- **Mental health services for children and young people:** these were found to be vastly underfunded. Austerity measures have cut universal preventative services which will result in more significant interventions being required for older young people.

The practice of caring for children on adult psychiatric wards has continued in several parts of the UK and there is a lack of age appropriate crisis facilities across the UK.

¹ IFS, <https://www.ifs.org.uk/comms/comm121.pdf>

² Article 4 of the UNCRC states Governments must do all they can to fulfil the rights of every child, <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx>

- **Safeguarding:** typically, abuse has either gone unnoticed or children have been ignored, disbelieved or considered 'promiscuous' and blamed for their abuse and agencies have failed to share information. Children's views and experiences must be taken into account in the development of measures to address abuse and those who have been abused must be properly supported. Recent changes to make child sexual exploitation a national priority are welcome but many victims of child sexual abuse are still not being identified. We are also calling for corporal punishment to be immediately prohibited.
- **Children in the justice system:** the Commissioners are concerned about the health and wellbeing of young people who offend and high reoffending rates. Access to free legal advice and representation for children and their parents and carers has been severely reduced in important areas affecting decisions being made in a child's best interests including in immigration, education and private family law.
- **Implementation of the UNCRC and repealing the Human Rights Act:** No UK nation has fully incorporated the UN Convention on the Rights of the Child (UNCRC) into domestic law, although Scotland and Wales have taken some steps towards this.

The protection of children's rights in UK law must not be weakened. The Commissioners are concerned that repealing the Human Rights Act 1998 and replacing it with a British Bill of Rights will have a negative effect on children's rights by substantially diluting the protection the Human Rights Act provides for children's rights in the UK.

The Commissioners also expressed frustration at the lack of progress on a significant number of the UN Committee's recommendations from 2008.

Tam Baillie, Commissioner for Children and Young People Scotland said: "The current child poverty rate across the UK makes a mockery of our international obligation. It is deeply disturbing that the UK Government, aware of the current and future impact of its cuts, appears to be targeting the most vulnerable people in our society.

"The UK Government's austerity measures have condemned 2.3 million children into poverty and that number will increase if further proposed cuts are enacted. For one of the richest countries in the world, this is a policy of choice and it is a disgrace. It is avoidable and unacceptable. The Government's short-term budgetary policies will have long-term, corrosive effects on children across the whole UK, affecting their health, educational attainment and life expectancy.

"The Government must reconsider its policy of austerity measures for the sake of children across the UK."

Sally Holland, Children's Commissioner for Wales, said: "Demand for CAMHS services is increasing to the point where the system itself is overwhelmed. This vastly underfunded service is leading to children and young people receiving unequal service; there's a lack of crisis access, they're facing long waiting times and some vulnerable children are being treated on adult psychiatric wards. We are particularly

concerned about those at greatest risk, including disabled children, children deprived of parental care and those who have been affected by abuse and neglect. We need adequate funding but also investment in universal preventative and early intervention children's service to curb the increase in mental ill health among children."

Anne Longfield, Children's Commissioner for England said: "As a society we are beginning to wake up to the prevalence of child sexual exploitation and abuse and the damage it causes after many years of denial. As it cuts across class, ethnic and geographical boundaries, it is not surprising that the disturbing reports of abuse we have sadly become accustomed to hearing about in England have been mirrored across the UK. The UK Government has made child sexual exploitation an issue of national security which is to be welcomed but this now needs to lead to real change in every community including determined action to prevent child sexual abuse linked to the family. This needs to be an urgent priority for the UK Government.

"Tens of thousands of children continue to suffer in silence because the true scale of abuse is unknown. The sharp increase in recorded sexual offences against children we have seen recently may be because of better detection, rather than more abuse and neglect but from our ongoing work in this area in England, we know that the vast majority of victims of child sexual abuse never come to the attention of the authorities. Professionals who work with children must get better at identifying and protecting children across the UK must be a national priority for every one of us."

Koulla Yiasouma, Northern Ireland's Commissioner said: "Although levels of offending by children and young people have reduced the youth justice systems across the United Kingdom have been found wanting in a number of areas. Yet again the Westminster Government and the devolved administrations have ignored the UN Committee's call to raise the age of criminal responsibility.

"Also, custody is clearly not being used as a last resort it should be and certain groups are over represented in our custodial facilities particularly Black Minority and Ethnic young people in England and Wales and young people who have been in care.

"There are more effective ways of addressing the issue of youth offending such as early intervention, community disposals and restorative justice and we call on government to divert resources to this area."

For media enquiries contact:

Scotland's Commissioner for Children and Young People

Ezmie McCutcheon, Communications Manager

ezmie.mccutcheon@sccyp.org.uk

Tel: 0131 346 5350 or 07545 916 031

Office of the Children's Commissioner for England

Sandeep Shah, Senior Communications and Engagement Officer

sandeep.shah@childrenscommissioner.gsi.gov.uk

Tel: 020 7783 8610 or 07659 593 511 (out of hours)

Northern Ireland Commissioner for Children and Young People (NICCY)

Jonathan Traynor, Senior Communications Officer

jonathan@niccy.org

Tel: 028 9031 1616 or 07917 544 177 (out of hours)

Children's Commissioner for Wales

Sara Jermin, Communications Officer

sara.jermin@childcomwales.org.uk

Tel: 01792 765638 or 07794 123132

Notes to Editors

1. **The Children's Commissioner for England** is Anne Longfield OBE. She has a statutory duty to promote and protect the rights of all children in England in accordance with the United Nations Convention on the Rights of the Child.

The Children and Families Act 2014 gives her special responsibility for the rights of children who are in or leaving care, living away from home or receiving social care services. It is her job to make life better for all children and young people by making sure their rights are respected and realised and that their views are taken seriously.

The Northern Ireland Commissioner for Children and Young People is Koulla Yiasouma, who took up post in March this year. The legislation that established the office in 2003, gave the Commissioner the responsibility to safeguard and promote the rights and best interests of children and young people in Northern Ireland. The legislation ensures that the UNCRC underpins all the work of the Commissioner and her office.

The current **Children's Commissioner for Wales** is Professor Sally Holland and her principal aim is to safeguard and promote the rights and welfare of children and young people in Wales. In 2001, Wales was the first country in the UK to create the role of the children's commissioner. There is a set of laws, including the Care Standards Act 2000 and the Children's Commissioner for Wales Act 2001, which explains the role and responsibilities of the Commissioner.

Scotland's Commissioner for Children and Young People promotes and safeguards the rights of children and young people in Scotland under the age of 18 (and those under 21 if they have ever been in the care of, or looked after by a local authority).

The current Commissioner is Tam Baillie. The responsibilities and powers of the Commissioner are laid out in the Commissioner for Children and Young People (Scotland) Act (2003). The Commissioner has a responsibility to:

- promote and safeguard the rights of children and young people;
- have regard to the United Nations Convention on the Rights of the Child, and act in a manner that encourages equal opportunities; and
- encourage the involvement of children and young people in the work of the

Commissioner, and consult relevant organisations.

2. The **Report of the UK Children's Commissioners for the Pre-Sessional Working Group** is the first full-term review of the UK's record in upholding the United Nations Convention on the Rights of the Child (UNCRC) since 2008.

Each area examined has a series of recommendations from the Children's Commissioners who have a statutory duty to promote and protect the rights of children.

3. **The UN Committee on the Rights of the Child** is an independent committee of 18 experts that monitors the implementation of the Convention on the Rights of the Child and its Optional Protocols by States Parties. The Committee carries out Periodic Reviews of States Parties' implementation of the Convention and issues Concluding Observations (including recommended actions) to States. The last Periodic Review of the UK took place in 2007-2008. As part of the Periodic Review process the State Party submits a report on the status of the Convention Rights. The UK State Party report was submitted in May 2014 and is available at http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fGBR%2f5&Lang=en.

National Human Rights Institutions and civil society organisations may then submit 'alternative' reports on the UK's implementation of the Convention, by 1 July 2015. These reports will be considered by a working group of the Committee in October 2015 and a list of questions for the State Party will be produced (the 'list of issues'). The State Party will then respond to the list of issues before being examined by the Committee in Geneva in May - June 2016.

4. Recommendations

Child poverty and austerity

The UK Government and devolved governments must make child poverty a key focus as a matter of urgency, and fully comply with the Child Poverty Act 2010. Sufficient resources must be provided to meaningfully tackle child poverty and prevent the predicted rise by 2020. The impact of all new policies on families on low incomes must be assessed, and measures put in place to prevent them from having a detrimental impact.

Children's rights to social security and to an adequate standard of living should be fulfilled by the welfare system: children and their families should be protected from welfare cuts; and measures should not discriminate against children from particular groups for example children of lone parents, children with disabilities or children from large families.

The UK Government should urgently address the need for adequate housing for lower-income families and end the use of inappropriate bed-and-breakfast

style accommodation for families with children.

The UK Government should provide guidance to local authorities in England and Wales on meeting the needs of 16 and 17 year olds with a statutory entitlement to support.

It should ensure that the additional costs of disability are met by welfare provision for children with disabilities.

Safeguarding

The UK Government and devolved governments must ensure that children who experience any form of child sexual abuse receive appropriate counselling and therapy as a priority.

Children's views and experiences should be heard and taken into account in development of all measures to combat child sexual abuse including child sexual exploitation.

All official agencies must establish adequate information sharing and multi-agency working practices to protect children from child sexual abuse including child sexual exploitation.

Children in the justice system

Children and families without sufficient means should be able to obtain legal advice, assistance, and where litigation is contemplated, legal representation free of charge in any case where a child's best interests are engaged.

Custodial facilities should be appropriate to the age and needs of the children detained there. Adult prison-like facilities such as Young Offender Institutions should not be used for children.

Implementation of the UNCRC

The protection of children's rights in UK law must not be weakened. Any new Bill of Rights should build upon, rather than reduce, the protection of the fundamental rights of all children without discrimination, as well as providing effective judicial remedies including through the European Court of Human Rights, and should be developed through a consultative and democratic process in which children have a say in these rights that affect them.

Mental health

The UK Government and devolved administrations should invest the required level of funding in child and adolescent mental health services to meet the needs of children in need of such support. Particular attention should be given to those at greatest risk, including disabled children, children deprived of parental care, children affected by conflict, trauma, abuse and neglect, those living in poverty and those in conflict with the law.