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# YOUR DECISIONS

## - OUR LIFE, OUR RIGHTS, OUR SAY!

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REPORT FROM THE CHILDREN OF  
NORTHERN IRELAND, SCOTLAND AND  
WALES TO THE UNITED NATIONS  
COMMITTEE ON THE RIGHTS OF THE  
CHILD

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Comisiynydd  
Plant Cymru

Children's  
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for Wales

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## 1. 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 2023. This report, from three UK jurisdictions - Northern Ireland, Scotland and Wales - follows the UK's State Response (hereafter known as the 'State Report') to the UN Committee's List of Issues on the Rights of the Child. The children and young people's stories and experiences are set against recent exposure to a number of years of social, educational, political and economic uncertainty, including the impact of Covid-19 and the ongoing impact of the current cost-of-living crisis. The totality, outworking and long-term impact of these crises are not yet known, but in the meantime, children and young people and their families are struggling to maintain their health, to maintain their standard of living and to have their voice heard.

This report is based on engagement with children and young people by Participation Staff in three UK Children's Commissioners' offices:

- The Northern Ireland Commissioner for Children and Young People (NICCY)
- The Children and Young People Commissioner Scotland (CYPCS)
- The Children's Commissioner for Wales (CCfW).

The Commissioners are Independent Children's Rights Institutions whose respective remits extend to Northern Ireland, Scotland, and Wales. Their statutory functions differ but all centre upon the promotion and protection of children's rights, with particular attention to the UNCRC and informed by children's views and experiences. Within this report, the children and young people's voices comment only on matters affecting children and young people within their respective jurisdictions of Northern Ireland, Scotland and Wales. In accordance with the legislation which established the Children's Commissioner for Wales, the Commissioner has made representations to Welsh Ministers on these issues.

The report aims to provide the Committee with children and young people's views and experiences on the delivery of their rights on a day-to-day basis. The respective three Commissioners will deliver a separate report, assessing how the UK Government and devolved administrations have progressed towards giving every child the opportunities and protections enshrined in the United Nations Convention on the Rights of the Child (UNCRC).

There are still many challenges and barriers facing children, young people, their families and carers, and those working with and for them, in achieving and realising their rights. However, there are positives in each of the jurisdictions, examples of which are highlighted below:



## Northern Ireland (NI)

It is recognised that there have been positive examples of engagement with children and young people including, for example, customised communications for young people using social channels such as Snapchat, TikTok, and Insta stories, as well as using influencers to help communicate key messages.

The establishment of the NI Youth Assembly by the NI Assembly Commission is a tangible step forward. Young People under the age of 18 do not have the vote and therefore it is important their Assembly finds alternative ways to hear their views on the issues that are important to them and for young people to have an avenue to challenge government and the work they do. The voice and experiences of children and young people are essential for good decision making for any legislative body.

The 2020-30 Children and Young People's Strategy<sup>1</sup> and its (draft) Delivery Plan<sup>2</sup> outline the "Formation and implementation of an inclusive Participation Network to empower and support children and young people to participate in decision-making which impacts on their lives", which reinforces the commitment as outlined in the Department of Education's 'Participation in Decision Making' initiative. However, at the moment, there is no specific timeframe for delivery.

The Children and Young People's Strategy also highlights the need to provide children and young people with opportunities to participate in their education about issues that affect them, for example through school councils or other forms of student participation in decision-making processes.

The Department of Education introduced the Children and Young People's Emotional Health and Wellbeing in Education Framework which is a positive step forward in supporting children and young people's mental health. Unfortunately, as schools are not required to deliver it, it is not presented to students in a consistent way. The Department of Education has made a good start with the Framework but unfortunately it cannot dictate what schools do with it. The outworking of the Framework also needs to be assessed by Education Inspectors.

## Scotland

After decades of campaigning, the UNCRC (Incorporation) (Scotland) Bill was introduced to the Scottish Parliament in September 2020 and passed unanimously on 16 March 2021. Children and young people led the calls for this to happen. Shortly after, the UK Government challenged specific areas of the Bill in the UK Supreme Court, saying they were beyond the legislative competence of the Scottish Parliament. On 6 October 2021,

<sup>1</sup> [final-executive-children-and-young-people-s-strategy-2020-2030 \(education-ni.gov.uk\)](https://www.education-ni.gov.uk/consultations/nidirect.gov.uk/de/children-and-young-people-s-strategy-initial-3-yea/)

<sup>2</sup> <https://consultations.nidirect.gov.uk/de/children-and-young-people-s-strategy-initial-3-yea/>

the Supreme Court published their judgment, deciding that four sections of the Bill went beyond the powers of the Scottish Parliament. Until changes are made to those sections, the Bill cannot become law – which means children’s UNCRC rights will not be fully protected in domestic law.

Over a year on from the judgment the Scottish Government has still to address those sections of the Bill, despite reiterating its commitment to do so.

Due to the pandemic, young people in Scotland have now faced disruption to national SQA exams and assessments since 2020. Throughout that time, their right to education has been severely impacted. This year, young people continued to live with a huge amount of uncertainty. Education and exam reform is a priority, the Scottish Government is supporting a National Discussion<sup>3</sup> on the future of education to hear the views of children across Scotland. While it is yet to convene, the Scottish Government has also committed to establishing a Children and Young People’s Education Council to participate in strategic discussions on education reform.

Mental health continues to be a priority issue for children and young people in Scotland, with lack of access to services and long waiting lists a serious problem for those seeking help. While the availability of school counsellors has improved, wider community-based support continues to be insufficient.

Over a quarter of children in Scotland are living in poverty. The Scottish Government has developed its Tackling Child Poverty Delivery Plan 2022-2026, as well as put in place some additional social security supports, but it will need to be ambitious and move faster to meet its targets.

The Scottish Government holds annual cabinet meetings with children and young people and publishes a range of commitments to participation. Seven annual meetings have been held to date.

## Wales

Welsh Government has demonstrated some good progress, evidencing positive engagement with children and young people through participative practice in policy making, and a commitment to support through funding effective engagement. Voting rights have been extended for 16 and 17 year olds allowing young people the right to vote in Senedd elections 2021, and from 2022 in Local Government and Community Council elections.<sup>4</sup>

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<sup>3</sup> <https://consult.gov.scot/national-discussion-scottish-education/>

<sup>4</sup> <https://senedd.wales/visit/education-and-youth-engagement/vote-16/>

The Welsh Government have published an Anti-Racist Wales Action Plan co-produced with ethnic minority communities (2022) taking steps to ensure inequalities experienced by these communities are reduced. The issues of racism, bullying and discrimination in schools continue to have a significant impact on children and young people in Wales.

The Welsh Government's Programme for Government provides a commitment to tackling the impact of poverty through an investment in the Community Focused Schools Programme<sup>5</sup>, and the roll-out of free school meals for all primary school students across Wales<sup>6</sup>. Additionally, the Welsh Government allocated resources to Summer of Fun and Winter of Wellbeing during school holiday periods, supporting local authorities to develop engagement opportunities for children and young people across Wales.

Responding to the pandemic, the 'Coronavirus and Me' consultations were developed in partnership between the Welsh Government, Children's Commissioner for Wales, Children in Wales and Welsh Youth Parliament.<sup>7</sup> Engaging with around 44,000 children and young people across Wales, the findings provided insight and understanding into the views and experiences of children throughout the pandemic, helping to influence decision-making processes.

The new Curriculum for Wales was introduced in 2022, which includes the mandatory teaching of Relationships and Sexuality Education (RSE) and places a duty on education leaders to promote awareness of the UNCRC and the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD).

## Engagement Overview

The Participation Teams made every effort to hear and listen to the voice of young people. Sometimes working directly with children and young people and sometimes working in partnerships with regional / local NGOs - particularly those working with groups of vulnerable young people. At times, Participation Teams collaborated with NGOs in engaging with children and young people; some agencies facilitated a conversation on the Commissioners' behalf; others invited Commission staff into their meetings. This included surveys, virtual and direct engagement with youth groups, youth organisations, schools and children's homes.

## Engagement Methodology

Each office was responsible for their own engagement, although regular and ongoing contact amongst and between offices provided additional support.

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<sup>5</sup> <https://gov.wales/25m-investment-community-focused-schools-tackle-impact-poverty>

<sup>6</sup> <https://gov.wales/25m-kick-start-free-school-meals-all-primary-school-children-wales>

<sup>7</sup> [https://www.childcomwales.org.uk/wp-content/uploads/2020/06/FINAL\\_formattedCVRep\\_EN.pdf](https://www.childcomwales.org.uk/wp-content/uploads/2020/06/FINAL_formattedCVRep_EN.pdf)

Staff facilitated in person or online discussions with children and young people and where this could not be facilitated, partner agencies facilitated this on the Commissioners' behalf. 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 jurisdiction's engagement with children and young people. Supporting information from reports and other sources have been referenced throughout the report.

## 2. General measures of implementation

### Incorporation of the UNCRC

The State Report says it is dedicated to promoting children's rights in all aspects of society and ensuring the Convention is reflected in domestic legislation. Each jurisdiction's authorities say careful consideration is given when developing new legislation, strategies, policies and services.

As noted above, Scotland is currently in the process of incorporating the UN Convention on the Rights of the Child (UNCRC) into domestic law. In 2021, the Scottish Parliament unanimously passed a bill to fully incorporate the Convention into Scots law. The Bill has since been legally challenged by the UK Government and following the Supreme Court's judgment, the Bill must return to the Scottish Parliament with amendments. The amendments relate primarily to the application of rights protections to actions of the UK Government in Scotland, which the Supreme Court has ruled is outside the powers of the Scottish Parliament.

Currently, the incorporation of the UNCRC is not on the government agenda in Northern Ireland, although the Northern Ireland Executive adopted the Children and Young People's Strategy (2020), which promotes children's wellbeing and progresses children's rights until 2030.<sup>8</sup>

The Welsh Government have set out their commitment to the principles of full incorporation and plan to explore this further although more work is required for this to become a reality.<sup>9</sup>

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<sup>8</sup> [final-executive-children-and-young-people's-strategy-2020-2030](#)

<sup>9</sup> <https://business.senedd.wales/documents/s126976/Letter%20from%20the%20Minister%20for%20Social%20Justice%20-%20Powers%20of%20the%20Childrens%20Commissioner%20for%20Wales%20-%2026%20M.pdf>

However, children and young people tell us that more needs to be done to explain what incorporation means in practice.

**“ What will Incorporation mean for me in my day-to-day life? ”  
I get somethings about rights but how will my life be better  
or any different?**

Young Male, Scotland

Positively, a pilot project involving 14 children from six different organisations, Rights Right Now! worked to influence the Scottish Government’s UNCRC Implementation Programme and the work of its Strategic Implementation Board. The recommendations from this project will help strengthen the Strategic Implementation Board’s capacity to involve children and young people with a broad range of experiences and backgrounds.

**“ Everyone was supportive – everyone listened – no one talked over anyone, and we all got opinions heard. You didn’t feel guilty because you didn’t forget what you wanted to say because no one jumped in.**

Young Person, Rights Right Now!, Scotland

It should be noted however, almost 25 years after the Good Friday agreement, Northern Ireland still does not have a Bill of Rights.

**“ 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? ”**

Young Person, Young Life and Times Survey (YLTS), NI<sup>10</sup>

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

<sup>10</sup> <https://www.ark.ac.uk/yлт/results/yлтcovid.html>



**“ ...but school counselling is only provided by the Department of Education (in Northern Ireland) for post-primary pupils.<sup>11</sup> 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. ”**

Young Male, NI<sup>12</sup>

### **UNCRC Awareness**

In Scotland, CYPSC has called for investment in the development of new UNCRC resources. Positively, the Scottish Government announced funding in May 2022 for UNICEF UK to offer their RRSA programme to all state primary and secondary schools in Scotland so that children in Scotland know about their rights.

The Children and Young People's Strategy in Northern Ireland has highlighted Article 4 of the UNCRC which requires Government to take all appropriate legislative, administrative and other measures to implement children's rights and states that the Strategy is Northern Ireland's plan to deliver improved wellbeing for children and young people and it is rooted in the UNCRC.<sup>13</sup> Although currently not mandatory, children's and young people's rights are reflected within the NI school curriculum throughout Key Stages 1 to 4.

**“ Rights build you up so you can be the best you can be ”**

Young Male, MENCAP, NI

As part of their submission to the Independent Review of Education in Northern Ireland, the NI Commissioner for Children and Young People's Youth Panel (NYP) recognised the importance of the role of the UNCRC on children's lives.

**“ It's hard for us to deny that education is a key instrument we can use to shape our society into the original goals and aims of the United Nations Convention on the Rights of the Child - a society free of poverty, discrimination, where every child can live safely and happily to their full potential, not falling victim to circumstances out of their control. ”**

NICCY Youth Panel Member<sup>14</sup>

<sup>11</sup> The Healthy Happy Minds Therapeutic and Counselling Service Pilot for Primary Schools was launched by the Minister for Education in November 2021. It is not mainstreamed yet.

<sup>12</sup> Children and Young People's Summit, NICCY

<sup>13</sup> [final-executive-children-and-young-people's-strategy-2020-2030](#), Pg 9 & 10

<sup>14</sup> <https://www.niccy.org/media/4139/niccy-youth-panel-review-of-education-report.pdf>

As part of the new curriculum for Wales (2022) children, staff and governors will be required to learn about the UNCRC.

However, the UNCRC needs to be applied more broadly, beyond schools and into wider society. Training should be provided to all professionals working directly with children and young people or whose work impacts on children and young people, to increase their understanding of children's and young people's rights in relation to their role, and their responsibility as a duty bearer to rights holders.

Children and young people have highlighted that further consideration is needed to ensure children's rights are safeguarded across all areas.

**“ I find you can easily be exploited especially in a workplace – I find that the boss at the place I work at, he speaks differently to the adult employees compared to the younger staff like myself, do we have any rights in the workplace? ”**

Young Advisory Panel Member, Wales

### **Child Rights Impact Assessment (CRIA)**

CRIAs can support governments to protect and promote children's rights. They can help children have a voice and their use is extremely helpful for vulnerable children in deprived areas. Each jurisdiction has used CRIAs, although these are not mandatory (except in Scotland where they are in certain circumstances).

CRIAs and Child Rights Impact Evaluations (CRIEs) are key to upholding children's rights. Involving children in CRIAs and CRIEs increases the possibility of their perspectives, ideas and everyday experiences informing policy development and decision-making. There are still gaps in knowledge and understanding about how to engage children in the process and opportunities for children to have their say in decisions being made at community and local authority level in Scotland.

To support public authorities in Scotland, CYPCS in partnership with the Children's Parliament with Together (Scottish Alliance for Children's Rights) and the Observatory of Children's Human Rights Scotland, carried out a case study in East Lothian Council to develop understanding of and good practice on how children can be involved in CRIA and CRIE processes.<sup>15</sup>

<sup>15</sup> <https://www.cypcs.org.uk/wp-content/uploads/2022/09/CYP-Commissioner-CRIA-and-CRIE-Guide-FINAL.pdf>

Very few of the 100 children involved in the case study were able to identify examples of being asked about their views, experiences and ideas. Against this backdrop, involving children in CRIA processes is harder because of the lack of existing engagement at school, community and / or local authority level.

**“ Once a year we get a survey at school asking how we travel to school. We never hear the results or what happens with that. ”**

Young Female, Member of the Children’s Parliament, Scotland

Children and young people said that decision makers should routinely engage children in CRIAs (and decision-making processes more broadly) so that decision makers can understand and prevent potential negative impacts on children’s rights and take the opportunity to actively progress children’s rights.

**“ I think it’s a good way to improve children’s rights and lets our voice be heard. ”**

Young Male, Member of the Children’s Parliament, Scotland

Many children are eager and enthusiastic about participating in decisions being made, and strongly feel that, by involving them, their interests will be better represented in day-to-day life.

**“ I would like people to invest in making children have a happy life. ”**

Young Person, Children’s Parliament Investigator, Scotland

The Welsh Government has demonstrated a commitment to the UNCRC through the revised Child Rights scheme 2021, which gives CRIA templates and guidance to officials on the use of CRIAs. There are some signs this is resulting in more consistent use and publication of CRIAs, but there are still see some inconsistencies. The Welsh Government have also developed a Children and Young People’s plan setting out their priorities to promote children’s rights.

In Northern Ireland, NICCY, in partnership with the NI Civil Service, has developed online Child Rights and CRIA training modules for staff within government departments and associated public agencies who work directly with children and young people or whose work impacts on children and young people.

**“ Children’s rights impact assessments should already be carried out before going to consultation. Government should 100% know how to protect children and how to stop their rights getting pushed aside. ”**

NICCY Youth Panel Member, NI

Also, young people felt that educating other children and young people on CRIAs would be beneficial.

**“ Using CRIAs for children themselves is a really good tool as it starts conversations about their rights and helps them think through their own opinions and develop their ideas about the issue. ”**

NICCY Youth Panel Member, NI

The UK State report highlights that Scotland and Wales conducted CRIAs on legislative measures during the pandemic, to ensure policies considered children’s rights. There is no reference to CRIAs being carried out in NI for the same purpose.

During COVID, some young people were critical of the lack of foresight on the impact that government actions would have on children’s and young people’s engagement.

**“ They should listen to young people more and take their needs into consideration as much as they do with adults. Just because we are younger does not mean we don’t matter as much.... I felt as though during the pandemic we young people were almost blamed for the spread of the virus when the vast majority of us did everything we could to protect the older generation but instead of listening to us and seeing we were trying to help, the government instead let the minority represent the majority. I would like the government to listen to us more and take us into consideration when they make decisions especially on things that impact us such as education. ”**

Young Person, YLTS, NI

**“ It’s not our fault that some of us and our friends got COVID. We had to go to school and take transport, so it was always going to happen. People should have been looking out for us instead of blaming us. ”**

Young Person, YLTS, NI

### 3. General principles

#### Non – discrimination

In their report the UK Government state they are undertaking substantial work to eliminate discrimination for all children including addressing homophobic, biphobic, and transphobic bullying with the aim of minimising inequalities experienced by those with specific protected characteristics. The report states they are also committed to eradicating age discrimination and addressing negative public attitudes towards children, legislating where necessary. However, children’s and young people’s experiences on the ground are not yet reflective of these ambitions.

Young people think that schools and wider society could be more LGBTQI+ supportive and inclusive.

**“ I am LGBTQ and don’t feel accepted. I think schools could do more to build this into education. I’m not sure who I should speak to when I have a problem. ”**

Young Person, Scotland

**“ There is not enough being done to find solutions to LGBTQI+ issues... we need more support for parents and families of young LGBTI+ young people. We need to better educate service providers, schools, etc with regards to LGBTI+ issues and those faced by young people. ”**

Young Person, NI Youth Forum, NI

The Welsh Government have published an Anti-Racist Wales Action Plan co-produced with ethnic minority communities (2022) taking steps to ensure inequalities experienced by these communities are reduced.<sup>16</sup> In addition to this, the Welsh Government have consulted on an LGBTQ+ action plan in 2021, aimed at tackling inequalities and discrimination, with the outcomes and actions yet to be published.

Despite the advances and steps being taken to address inequality in Wales, the views and experiences of children and young people in Wales highlight a need for ongoing focus in this area to reduce discrimination, promoting and safeguarding the rights of all children and young people.

<sup>16</sup> [https://gov.wales/sites/default/files/publications/2022-06/anti-racist-wales-action-plan\\_0.pdf](https://gov.wales/sites/default/files/publications/2022-06/anti-racist-wales-action-plan_0.pdf)

**“ Intertwining equality and equity to ensure all young people have what they need to reach their potential. ”**

CCfW Young Advisory Panel Member, Wales

Traveller young people also highlighted discriminatory attitudes within the education system.

**“ We get judged by what other Travellers do. In school the teachers say things like, ‘What are you doing there, you are just going to get married’, ‘You are going to fail your GCSEs’ and ‘Your lot don’t really go to school so why are you here?’ ”**

Traveller Young Person, NI<sup>17</sup>

The Northern Ireland Executive committed to introduce legislation to improve age discrimination legislation so that it covers the provision of goods, facilities and services. This legislation, as proposed by the Government, went out for public consultation in Autumn 2015 but included proposals that would exclude young people under the age of 16 years, despite vociferous calls by young people to include all children and young people.

**“ By not including under 16s in the legislation, the NYP believes that this reinforces negative stereotypes relating to this group and sends a message to society that under 16s are less worthy of protection and that discriminating against under 16s unjustifiably on grounds of their age is acceptable. ”**

NICCY Youth Panel Member, NI

Despite identifying a priority commitment within the New Decade, New Approach Deal (2020)<sup>18</sup> to bring forward an Age, Goods and Facilities and Services Bill with the aim of ‘ensuring that no one is discriminated against because of their age’, this has still not been progressed.

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

The State Report says the UK Government are committed to enabling meaningful participation in decision-making at all levels. Although positive actions have progressed

<sup>17</sup> Plan International (2020) ‘Gypsy and Traveller girls,’ The State of Girls’ Rights in the UK,

<sup>18</sup> New Decade New Approach, 2020, Pg. 41

since the last UN report (see Introduction), children and young people find that this commitment is not reflected in their engagement with decision makers.

This was very evident throughout the pandemic where children and young people were largely absent from decision-making, especially in education and health decisions

**“ It’s about nothing about us without us. We’re not being told anything and we’re not being asked to get involved in the conversation. How is that part of our human rights being respected? If we’re not being at least brought into the conversation, even if that decision is ‘we think we’re not going to cancel exams’ at least involve us rather than having it all happen behind the scenes. ”**

CYPCS Young Adviser, Scotland

**“ I just found the whole Covid thing really stressful in a way because they didn’t explain it properly and I was just confused all the time. And they keep changing the rules and it’s just hard to keep up with the rules and stuff. ”**

Young Person, MENCAP, NI

**“ We weren’t really aware of the guidelines or why they were in place. We were just told not to go out. We had no access to information and no way to tell people who mattered what we thought. ”**

Young Person, YLTS, NI

**“ There’s just not enough. Why did they do the things they did, the whole world is in a pandemic and they (the government) put on a eat out to help out scheme. None of it makes sense! The guidelines had nothing about mental health it had nothing about how they can help. A lot of people went downhill. ”**

Young Person, MACS, NI

**“ The advice I would give the Government to help them make sure that children’s rights are protected during a pandemic are, that they listen to what children have to say and what they think. ”**

Young Person, Kids Life and Times Survey (KTLS), NI<sup>19</sup>

In NI, notwithstanding the negativity around individual politicians and parties, it was evident that many of the young people were keen to get involved in social and political issues but were struggling with finding a party or platform to position themselves within. They talked about climate change, housing rights, women’s issues and student support as being topical among their generation.<sup>20</sup>

**“ We want to raise awareness and campaign about the things that are important to us but sometimes not sure how to do it. ”**

Young Person, NI Youth Forum, NI

**“ Things like the environment are things that impact on everyone, and we need to spend more time highlighting those issues and not the ones that actually divide us. ”**

Young Person, NI Youth Forum, NI

Young people also had very robust conversations about young people being able to vote at 16 years.<sup>21</sup>

**“ 16-year-olds are basically adults and many of the things’ politicians are making decisions on affect us directly so we should have our say. ”**

Young Person, NI Youth Forum, NI

**“ It’s simply not fair that older generations who are in the minority shape and direct policy that won’t even affect them that much in the future, well compared to young people anyway. ”**

Young Person, NI Youth Forum, NI

<sup>19</sup> <https://www.ark.ac.uk/kit/2020/Coronavirus/>

<sup>20</sup> Our Voices: Looking Beyond Borders, NI Youth Forum February 2022

<sup>21</sup> ibid



Children and young people in Wales have questioned if they are really listened to and taken seriously.

**“.... more opportunities for young people to have their say.”**

Young Person, Wales

Further to this, children and young people highlighted the lack of representation within opportunities to have their voices heard, sharing that they felt more should be done to make opportunities more accessible and reach more children and young people from more diverse backgrounds.

**“ I think it is important to get more diverse representation from young people in primary schools as they have very important opinions.”**

CCfW Young Advisory Panel Member, Wales

Further accountability is required to ensure young people’s views are taken seriously and effectively influence change. There should be very few times that children and young people should not be involved:

**“ Decision making that doesn’t involve children and young people should only ever happen when there is a really good reason, such as not being able to keep children safe or when it isn’t in their best interests.”**

NICCY Youth Panel, NI

## 4. Civil rights and freedoms

### Stop and search

The use of stop and search and strip searching continues to have a negative effect on children and young people’s relationship with the police and authorities. The UK Government would say that is a vital tool to protect the public and prevent crime and is balanced with children’s rights. There are specific safeguards which police must follow when searching children, including guidance on language, wellbeing and ensuring the encounter is carried out respectfully.

However, children and young people feel at times they are disproportionately targeted by the police.

In NI, between July 2021 and June 2022, children and young people aged 13 to 17 made up 10.8 per cent – or 2,204 – of total stops by the police, despite counting for only 6.4 per cent of the population. Of those 2,204 stop and searches, only 63 resulted in arrest. A further 55 children aged 12 and under were also stopped and searched. None of these resulted in arrest.<sup>22</sup>

In 2021, there were 34 instances in which under-18s were strip searched by the police and that two of the cases involved young people aged between 12 and 14. Police found no drugs, weapons or anything else harmful as a result of almost all (31/34) of the strip searches officers carried out on under-18s last year.<sup>23</sup>

“ *They don’t give you a reason for stopping you, they just say it’s about drugs or weapons, but they don’t give an actual reason.* ”

Young Person, Include Youth, NI<sup>24</sup>

“ *They harass young people; I get stopped all the time.* ”

Young Person, Include Youth, NI

“ *They make assumptions and judgements about young people.* ”

Young Person, Include Youth, NI

Every unnecessary stop and search leaves a negative impact on community relations, with thousands of people left feeling unfairly targeted.

In Wales, CCfW have seen data that shows that some children under the age of 11 have been subject to strip-searches. It is critical that the views and experiences of children and young people are considered about this practice and that guidance seeks to safeguard children’s rights.

### **Climate Justice: Right to assemble**

Climate change already affects children’s lives across the UK. Severe weather events such as storms and flooding damage critical infrastructure, housing, schools, play and recreation areas, and disrupt supply chains. This affects children’s education, physical and

<sup>22</sup> [PSNI Stop & Search Statistics, issued August 2022](#)

<sup>23</sup> <https://www.thedetail.tv/articles/psni-strip-searching-of-under-18s-is-deeply-shocking>

<sup>24</sup> <http://www.includeyouth.org/mgmt/resources/include-youth-response-to-draft-northern-ireland-policing-plan-2020-2025.pdf>

mental health, and an adequate standard of living. Children do not always know how to fight for climate justice or what protest actions they can take legally and safely.

**“ On a national and local level, people don’t have the power. ”**

CYPCS Young Adviser, Scotland

Negative media reporting of protests could deter children from attending protests or defending the planet.

**“ People need to know what’s okay to do so they can actually speak freely without the fear of what’s going to happen to them. Power-holders need to listen and listen well! ”**

CYPCS Young Adviser, Scotland

Young people from rural communities highlighted there are a lack of opportunities to engage in protest action in comparison to urban areas. In Wales, children and young people raised concerns regarding their right to peaceful assembly in light of the Police, Crime, Sentencing and Courts Act (2022).

**“ I think that our ability to get our opinions across through protesting is limited now that protesting is slowly becoming criminalised. ”**

CCfW Young Advisory Panel Member, Wales

Children and young people spoke about the need for better education and understanding of how they can voice their opinion through peaceful assembly and protests. CYPCS’s Young Advisers felt that the Scottish Government does not share information about what they are doing to mitigate climate justice in a way designed to reach them, so they do not know what the government is doing and what actions they can take.<sup>25</sup>

**“ I’ve tried to research in the past, but it’s kind of difficult. We need a simple document with bullet points that everyone could see and that’s communicable easily and readily available. ”**

CYPCS Young Adviser, Scotland

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<sup>25</sup> CYPCS young advisers consultation on response to Universal Periodic Review Report March 2022

## Digital Access

Across the three jurisdictions the authorities recognise that children require online services for education, further highlighted during the pandemic. As we move out of the pandemic, many children and young people have had their education adversely impacted due to lack of access to digital equipment. There are specific challenges around online learning for children who have limited or no access to technology or the internet, or do not have adequate financial parental support.

Young people also recognise the impact of digital poverty and the increase in online learning. They proposed that old unused devices could be recalibrated and distributed to children and young people who were not able to buy one.

**“ So at the moment my work is building up because I fell behind over lockdown because I had no access to a laptop. So I couldn't have done any work, and it should be noted that the [course] I was doing was ICT. ”**

Young Person, MACS, NI

Another young person was more fortunate.

**“ I kind of got a bit lucky actually because some people actually didn't have any devices. My social worker had asked the school to give me one, or I should say loan one out to me. So they gave me a laptop, and I was able to do it. But some people actually haven't been able to do any work at all. ”**

Young Person, MACS, NI

## 5. 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.

### Bullying

All jurisdictions recognise that bullying can have a serious effect on children's wellbeing, and that children with special educational needs are more likely to experience bullying. Each jurisdiction has their own initiatives to prevent bullying and support anti-bullying measures. However, more work is needed as bullying is an issue that children frequently

bring up, in particular when speaking about their mental health, school and their online lives.

In 2020, Show Racism the Red Card reported that 77% of primary and secondary students consulted in Wales believed racism existed in their school settings.<sup>26</sup> Children and young people spoke about the casual nature of racism in schools and how further guidance is needed from staff.

**“ There’s people in school they say racist things to each other as a joke but if someone else heard that it could be offended or hurt by that. Maybe that’s something to mention to students and teachers that it’s not okay even if it’s for a laugh. There needs to be clearer guidance. ”**

CCfW Young Advisory Panel Member, Wales

**“ Casual racism is used, people think it’s funny to use racism as a joke. ”**

CCfW Young Advisory Panel Member, Wales

The ‘Life in Scotland for LGBT Young People 2022’ report illustrates that bullying in school remains a problem. 58% of bisexual and 70% of gay / lesbian participants reported experiencing homophobic / biphobic bullying at school. 57% of transgender students report experiencing transphobic bullying at school.<sup>27</sup>

**“ I came out to close friends that I trusted who then spread it around the school. It was horrible, I had people older than me that I didn’t even know shouting slurs at me in the hallway. ”**

Young Person, Scotland

Confidence in reporting homophobia / biphobia to staff or authority figures in school has fallen from 44% in 2012 to 25% in 2022. Confidence has also fallen in reporting transphobia from 43% in 2012 to 26% in 2022.

Likewise, homophobia, transphobia and sexism have been raised by children and young people as a significant issue within Wales. Similar to racism, the casual nature of the discriminatory attitudes and behaviour is reported by children and young people.

<sup>26</sup><https://static1.squarespace.com/static/574451fe37013bd0515647ac/t/5ed659aa1288d943ddd2a784/1591106007132/Racism-in-Wales+-+Exploring+racism+the+Education+system+May+2020+%28F%29.pdf>

<sup>27</sup> <https://www.lgbtyouth.org.uk/media/2712/life-in-scotland-for-lgbt-young-people-2022-e-use.pdf>

**“ Every time we walk down the corridor, someone will call names at us. ”**

Young Person, LGBTQ+, Estyn Report, Wales

**“ It’s often a stare, which can’t be reported as there’s no evidence. ”**

CCfW Young Advisory Panel Member, Wales

Care experienced young people in Scotland want to see active work to stop bullying in school and to see explicit work carried out in schools about care. In NI, young people in care shared how they were treated differently by other pupils while at school and were at times the subject of bullying because of their care status. Frequent placement moves results in frequent school moves and young people can find it hard to settle and be accepted into a friendship group.<sup>28</sup>

**“ Stigma of CEPY (Care Experienced Young People) can translate to bullying in schools. Being in care system – people should take it more seriously. Need to walk a mile in their shoes. Need to talk to young people in school who are in the care system – it can be a hugely traumatic experience. ”**

Young Person, Scotland

**“ I was bullied for being in care. ”**

Young Person, Include Youth, NI

Peer to peer bullying in schools is an issue for children and young people in Scotland. They identify it as the leading cause of children not having their rights respected. Children talked about five different forms of bullying with online abuse and in person name calling being the most common. They also expressed concern about not knowing what to do or who to go to in school to report instances of bullying.

**“ There is a lot of bullying and it happens all the time. What should we do if we are bullied and what can we do if the school doesn’t do anything? I’m not sure we are told about this. ”**

Young Person, Scotland

<sup>28</sup> Evidence to Expert Panel on Educational Underachievement and Social Disadvantage October 2020, Include Youth

“ *Another reason why care experienced young people do not do as well as their peers is one of stigma. Unfortunately, this can come from other young people in the form of bullying or from teachers from their perspective of young people who are care experienced.* ”

Young Person, Include Youth, NI

The role of staff in education settings is highlighted by children and young people as important in challenging discriminatory and harmful language / behaviour in a way that explains and educates, through a standardised approach in line with the UNCRC.

“ *Teachers aren't comfortable/ confident in calling it out sometimes, as they don't know where the limit is.* ”

CCfW Young Advisory Panel Member, Wales

“ *I think there is an issue with teachers being complacent to acts of sexism, racism etc. which means no one gets pulled up on it, and even if they are, it's just treated as bad banter.* ”

CCfW Young Advisory Panel Member, Wales

Young people also shared with us experiences of discrimination because of disability.

“ *Ableism is also a big problem. Once, when I was severely overloaded and anxious, the teacher told me to not 'play the autism card'.* ”

Young Person with ALN, Wales

Further consideration and action is required to protect and safeguard children from bullying and discrimination and this action needs to be closely monitored and considered.

### **Restraint and seclusion**

Across the three jurisdictions, isolation, seclusion and restraint are used in education, care, mental health, and detention settings, sometimes inducing mental health trauma and sometimes resulting in injuries. Restraint should only be used as a last resort with any use proportionate, properly recorded and reviewed.

Youth Justice Voices in Scotland, in response to the Children's Care and Justice Bill, felt that there needs to be more law and guidance on restraint particularly within a young offender institution (YOI). They spoke about feeling / seeing people when they were

restrained “smashing to the ground” that it was traumatic. They felt that it was unfair a child or young person was hurt or restrained when not necessary.<sup>29</sup>

**“ Obviously when you are being restrained the young person might not like being touched (because of past experiences) doing that, then (being) in the box might aggravate and frustrate them and they might not mean to lash out. ”**

Young Person, Scotland

**“ Should be more of a law with stricter consequences for prison as secure aren’t as rough. ”**

Young Person, Scotland

The Children’s Commissioner for Wales has concerns about the use, recording and monitoring of restrictive practices including restraints in inpatient and secure settings in Wales. Healthcare Inspectorate Wales has reported repeated concerns about restraint and restrictive practices in some settings. The Welsh Government have published a Reducing Restrictive Practices Framework (2021) which seeks to reduce the use of restrictive practices in childcare, education, health and social care settings for people of all ages.<sup>30</sup> However, more must be done to implement this guidance.

NICCY’s ‘Neither Seen Nor Heard’ rights-based review on the use of restraint and seclusion in educational settings highlights the trauma that children experience when inappropriately restrained or placed in isolation. It notes that *‘Every educational setting must ensure that each and every one of their actions ensures a full and decent life and promotes the dignity of children who have additional needs’*.<sup>31</sup>

<sup>29</sup> <https://www.staf.scot/blog/youth-justice-voices-response-to-childrens-care-and-justice-bill>

<sup>30</sup> <https://gov.wales/sites/default/files/publications/2021-07/reducing-restrictive-practices-framework.pdf#:~:text=Reducing Restrictive Practices Framework A framework to promote, social care settings for people of all ages.>

<sup>31</sup> <https://www.niccy.org/media/4026/niccy-restraint-and-seclusion-main-report-final-16-dec-21.pdf>



**“ I struggled at break and lunch because of the noise, I stopped eating and dropped to 3 and a half stone, my school found out and their answer was to put me in a room on my own. I felt trapped and alone. I don’t like to be different, but I am, I started to self-harm. I could not see a way out; I had no hope. I wish my mum didn’t have to fight for support but I’m glad she did because I wouldn’t be here today, we deserve to feel safe and happy. ”**

Young Person, NI

### **Staying safe online**

Young people recognise the importance of keeping children and young people safe online and providing them with a better understanding of how to use the internet appropriately or how to manage online abuse and bullying.

Losing friends due to online communication during the pandemic was an ongoing theme amongst some young people in Scotland. They noted that the emphasis on online communication only led to some misunderstandings, especially amongst girls, which had caused relationship issues that had endured into school and “offline” life.<sup>32</sup>

Some young people in NI talked about the pressure on them, especially girls, to share inappropriate images and sexual behaviour online and noted that schools and youth centres should be providing more advice, information, and guidance on digital safety. The young people suggested they should have more access to interactive educational opportunities to support and enhance their digital safety and that online resources could be made available to meet their mental health and resilience needs.<sup>33</sup>

**“ There needs to be clarity about children and young people’s rights while using social media - Terms and Conditions should have a child rights framework. ”**

NICCY Youth Panel Member, NI

### **Sexual Harassment & Relationships and Sex Education (RSE)**

In 2021, Estyn, Wales’s school’s Inspectorate, report into peer-on-peer sexual harassment highlights this as a significant issue for young people, finding that around half of all pupils

<sup>32</sup> COVID-19 for Children and Young People Young Carers, Part 1 - A Place in Childhood

<sup>33</sup> Report on the Findings of a Consultation with Young People for the Executive Children and Young People’s Strategy Delivery Plan 2021-2024, EAYS, 2022

in Wales have experiences of peer-on-peer sexual harassment.<sup>34</sup> This was followed by the Senedd's inquiry in 2022, resulting in similar findings.

The UK Department for Education's definition of sexual harassment is "persistent unwanted conduct of a sexual nature by a child towards another child that can occur online and offline. Sexual harassment is likely to: violate a child's dignity, and / or make them feel intimidated, degraded or humiliated and / or create a hostile, offensive or sexualised environment."<sup>35</sup>

**“ If your skirt is too short you are a slag or a slut. If your skirt is too long you are boring or frigid. If you are wearing a short skirt, boys will use that as a way of consent – you are asking for it. ”**

Young Person, Estyn report, Wales

Estyn's report highlights that young people believe "real life stories from real people" are important in educating on this topic.

**“ ...should talk about realistic teen experiences rather than learning about sex in science. ”**

Young Person, Wales

Young people from different areas of Wales discussed their experiences of a lack of education and inappropriate comments from facilitators. A standardised, children's rights-based approach is called for by young people to promote effective education on these topics as a preventative measure.

**“ We had consent talks in my school by the local police officer, the idea was good but his talk was filled with victim blaming...I think consent talks need to be standardised and unbiased. ”**

CCfW Young Advisory Panel Member, Wales

As part of the new curriculum for Wales, mandatory RSE will be taught to all pupils in Wales. Young people have reflected on the need for education on these topics, as preparation for life events:

<sup>34</sup> Experiences of peer-on-peer sexual harassment among secondary school pupils in Wales - Supporting resources

<sup>35</sup> [https://www.keepingchildrensafeineducation.co.uk/part\\_five\\_ch\\_sex\\_viol.html#sch\\_coll\\_aware\\_of](https://www.keepingchildrensafeineducation.co.uk/part_five_ch_sex_viol.html#sch_coll_aware_of)

**“ We need RSE to be compulsory throughout school life. You need it throughout your life and therefore we need more detail about everything. LGBT, sex education, sexual harassment, gender issues – we need more detail about these subjects as well as mental health. Harassment happens due to lack of education. ”**

CCfW Young Advisory Panel Member, Wales

**“ We should have what a healthy strong relationship should look and sound like not just in a relationship but in your family? What to do when someone is not respecting your consent – we should make people aware of this and see how this can be resolved. ”**

CCfW Young Advisory Panel Member, Wales

Belfast Youth Forum's 2019 report - Young People's Opinions on Relationship and Sexuality in Belfast – compiled in partnership with QUB's Centre for Children's Rights and Common Youth, found that 86% of young people felt that school was the best place to receive RSE, yet only 66% of the respondents had received some RSE at school. The frequency, content and delivery of this was deemed basic, unhelpful, useless and biased.

Also, 49% of young people felt that the way RSE was taught was influenced by religion or the ethos of the school they attended. However, nearly three quarters of young people felt that RSE should not be influenced by the school's religion or ethos.<sup>36</sup>

From the NICCY Youth Panel's recommendation to the Independent Review of Education Panel (2022), *“...there should be an RSE Framework developed. This would help support educational settings to promote RSE through a holistic, multi-disciplinary, age-appropriate approach. High quality, evidence-based and age-appropriate teaching of these subjects can help prepare pupils for the opportunities, responsibilities and experiences of adult life.”*

They also highlighted the role that they, as young people, could play in supporting the RSE curriculum.<sup>37</sup>

<sup>36</sup> <https://www.qub.ac.uk/research-centres/CentreforChildrensRights/CCRFilestore/Filetoupload,1005261,en.pdf>

<sup>37</sup> <https://www.niccy.org/media/4139/niccy-youth-panel-review-of-education-report.pdf>

“ *Leaving the content of RSE curriculum up to school and governors is not fulfilling the needs of young people. It is vital that the RSE curriculum delivery is based on the actual needs of young people, rather than the presumed needs as decided by adults. Effective RSE does not encourage early sexual experimentation but teaches young people to understand human sexuality and respect themselves and others...* ”

NICCY Youth Panel Member, NI

### **Violence Against Women and Girls (VAWG)**

Violence against women and girls is a worldwide problem and a violation of fundamental human rights. The victims often suffer the consequences for years to come, experiencing psychological distress or physical health problems. The Istanbul Convention (Council of Europe, 2011), proposed standards for governments to tackle VAWG. The UK Government signed up to the Istanbul Convention in June 2012 and ratified it in July 2022.<sup>38</sup> It will come into force on 1st November 2022. Scotland (updated in 2017) and Wales (updated in 2022) have national strategies for preventing and eradicating violence against women and girls.

The Welsh Government has updated its ‘Tackling Violence Against Women and Girls’ strategy. It has also published statutory guidance for professionals to safeguard children and young people from Child Sexual Exploitation although it is CCfW’s understanding that the support available to victims of CSE varies across Wales.

Northern Ireland is only now designing its ‘Strategy to End Violence Against Women and Girls’. NI’s Executive Office commissioned research (Young Life and Times Survey (YLTS), 2022) on the issue and found:<sup>39</sup>

- Almost one in five young males believe that posting jokes or nasty comments of a sexual nature on social media (19%), or cat calling, wolf whistling and shouting at someone in the street (18%) are acceptable behaviours;
- More than half of young females personally know someone who has touched, hugged or kissed a girl or woman without her agreement (57%); and
- Four in ten young males personally know someone who has posted a joke or made nasty comments of a sexual nature on social media about a girl or a woman (41%), or someone who has shared intimate photos or videos of a girl or woman without her agreement (40%).

<sup>38</sup> Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention)

<sup>39</sup> Ending Violence Against Women and Girls: Experiences and Attitudes of 16 year olds in Northern Ireland, TEO, 2022

Young people in the NI Youth Forum's 'Our Voices' report are aware of the vulnerability of young woman and societal misogyny.<sup>40</sup>

**“ We need to address violence against girls and women and all the other stuff like spiking, sexualisation of women, fear of walking alone (women), how women are viewed by men and the lad culture and acceptance of sexualised language and behaviour. ”**

Young Person, NIYF, NI

Women's Aid NI facilitated a children's and young people's response to the Government's call for views in relation to the Domestic and Sexual Violence Strategy for Northern Ireland and the Violence against Women and Girls Strategy for Northern Ireland. Children and young people felt everyone had a fundamental human right to live a life free from violence and abuse.<sup>41</sup>

**“ I want all women and children to feel safe and stop all the hurt. ”**

Young Female, Women's Aid, NI

Being exposed to domestic abuse has been identified as an adverse childhood experience (ACE). A wealth of research has shown the more adverse childhood experiences a child has the greater the negative impact upon their mental and physical health and wellbeing, now and in the future. Women's Aid found that 52% of children exposed to domestic violence had behavioural problems; 52% had problems with social development and relationships; 39% had difficulties in school and 60% felt responsible for the negative events.<sup>42</sup> Women's Aid NI calls for full recognition of children and young people as equal victims of domestic violence.

**“ I was tensed up and knotted inside. ”**

Young Female, Women's Aid, NI

**“ I was sad and frightened. ”**

Young Female, Women's Aid, NI

<sup>40</sup> [Our Voices: Looking Beyond Borders, NI Youth Forum, 2022](#)

<sup>41</sup> Children and Young People Voices in Woman's Aid Federation NI response to the Government Call for Views in relation to the Domestic and Sexual Violence Strategy for Northern Ireland and the Violence against Women and Girls Strategy for Northern Ireland

<sup>42</sup> <https://www.womensaidni.org/resources/see-hear-act-2019-2029/>

## 6. Family environment and alternative care

### Young people in care

Young people have highlighted their concerns about the over representation of looked after children in the youth justice system. Many young people believe that the police treat them differently because they are from a care background. They feel that police are suspicious and they are more likely to be stopped and questioned. They feel that young people from a looked after background are more likely to be brought into the justice system, where those not in care would not have been. Some young people living in care thought that the police could do better to understand the experiences and upbringing of children in care.<sup>43</sup>

**“ They should talk to young people instead of fighting with them and then they end up lashing out. ”**

Young Person, Include Youth, NI

**“ Officers need to be more aware of the trauma and the needs of looked after children and should try to breakdown these barriers. ”**

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

In secure care, one young person highlighted the importance of environmental factors, as well as alternative therapies and activities, to support their development.<sup>44</sup>

<sup>43</sup> <http://www.includeyouth.org/mgmt/resources/include-youth-response-to-draft-northern-ireland-policing-plan-2020-2025.pdf>

<sup>44</sup> <https://www.voypic.org/wp-content/uploads/2021/01/ESTABLISHMENT-OF-A-REGIONAL-CARE-AND-JUSTICE-CAMPUS-VOYPIC-RESPONSE.pdf>

**“ The supports that are needed to deal with mental health issues include alternative therapies such as acupuncture, aromatherapy... Realise that CAMHS is not the only route to dealing with mental health and that multiple routes should be available, the way there is choice in the community. ”**

Young Male, Secure Care Centre, NI

Covid had many impacts on young people, none more so than young people in care. For many, Covid magnified already complex issues sometimes resulting in heightened stress levels. Without access to usual coping strategies and supports, some young people struggled to maintain positive mental health and recognised themselves that there was a deterioration in their general wellbeing.<sup>45</sup>

**“ It just made it a lot worse... because I already had my own struggles. So then when the whole world is struggling it doesn't really help. ”**

Young Female who left care during Covid-19, NI

**“ Because of the period of time I got into a very dark place and I could've done with more support. ”**

Young Female who left care just before Covid-19, NI

**“ I noticed that my mental health deteriorated as well because my way of talking to people would be going out for a drive, sitting down, listening to music and then talking, do you know what I mean? ”**

Young Female who left care during Covid-19, NI

Positively, the work of the Department of Health in NI to develop proposals for a regional service model for Separated Children was therefore an important step forward. Particularly as the targeted consultation proposals were accompanied by a CRIA, as supported by NICCY and first introduced in Northern Ireland in 2021 as part of 'A Life Deserved – A Strategy for Looked After Children'.<sup>46</sup>

Care experienced young people also raised the issue of a fairer rollout of Education Maintenance Allowance (EMA).

<sup>45</sup> <https://www.voypic.org/wp-content/uploads/2021/01/Leaving-Care-During-Covid-19-in-NI-FINAL-REPORT.pdf>

<sup>46</sup> DoH (2021) A Life Deserved: A Strategy for Looked After Children

**“ Full roll out of EMA without the denials and an easier application system. Not being means tested for Care Experienced young people. It took me a whole school year. ”**

Young Person, Who Cares? Scotland

They also want to see an end to exclusion of care experienced young people, to multiple school moves, and of children being taken out of class for non-educational reasons related to them being in care.

**“ Stop social work from taking Care Experienced young people out of class to speak to them. Schools not to judge levels of education due to situation. Don't assume we're stupid. ”**

Young Person, Who Cares?, Scotland

Young people wanted special protection for care experienced people who face greater barriers in realising their rights in the proposed new Human Rights Bill to help keep families together.<sup>47</sup>

**“ Young person should be part of Hearing, LAC review, planning. Should be at the centre of change for their future. ”**

Young Person, Who Cares?, Scotland

In Wales, the number of young people in care is increasing and as of 2021, 115 children per 10,000 were looked after. A commitment from the Welsh Government to reform children's social care in Wales seeks to reduce the numbers of children entering care by improving early intervention. The Welsh Government has also committed to phase out profit from children's care services. It is understood from children and young people that the experiences from care must be improved to ensure children's rights are promoted and safeguarded. However, there have been examples of good practice and progress in secure institutions facilitating regular forums for children and young people to be listened to.

Care experienced children and young people require targeted support to meet their needs. Public Health Wales's report on Preventing homelessness in care experienced individuals highlights that there is a higher risk for care experienced young people becoming

<sup>47</sup> <https://www.whocarescotland.org/wp-content/uploads/2016/07/Paving-the-Way-Report-June-2022.pdf>



homeless.<sup>48</sup> Early intervention is required to support care experienced young people, with CYP reporting they are not heard until they reach crisis point.

**“ For us to get support, we’ve got to have a battle...we’ve got to scream to be able to get support, where it shouldn’t be like that... if this was your child, you know, you’d support them from the day they were born, so why aren’t we supported. ”**

Care experienced young person, Public Health Wales, Wales

Care experienced young people report the stigma of being in care affects the way they are treated in society.

**“ As soon as they find out we’re care experienced they start labelling us as if we’re different people, like we’re not human. ”**

Care experienced young person, Public Health Wales, Wales

The staff turnover within the social care sector was also highlighted as a barrier to accessing support by care experienced young people.

**“ I’ve gone through, what, at least 25 social workers, so by the time I hit my fifth social worker I was like, I don’t \*\*\*\* care anymore. ”**

Care experienced young person, Public Health Wales, Wales

However, care experienced young people shared their optimism in shaping future practices and improve services to prevent homelessness.

**“ I [am] hoping [...] we can change the system [...] because I want to make a change for the best and the only way you make a change is by helping the young people who are still in the care system, who you can help to stop in the future getting homeless. ”**

Care experienced young person, Public Health Wales, Wales

<sup>48</sup> <https://phwwhocc.co.uk/wp-content/uploads/2022/10/ENGLISH-PHW-Preventing-homelessness-in-care-experienced-individuals.pdf>

## Young Carers

Young carers are often forgotten about. The State Report does not reference any developments relating to this issue pertaining to the three jurisdictions.

The pandemic introduced new challenges over and above the typical caring duties for young carers. For example, for portions of the pandemic children and young people were not supposed to enter supermarkets and pharmacies or were not typically old enough to collect important prescriptions. This was essential for many to meet the needs of family members who were unwell. Young carers said that worries about them or others contracting Covid-19 or ending up in hospital for other reasons were hard to cope with.<sup>49</sup>

**“ Scary – what would happen if parent goes to hospital and have to care for sibling. ”**

Young Carer, Scotland

Remote schooling was exceptionally hard for young carers to deal with. Several had also needed to support younger siblings, as well as themselves. When it came to assistance, they felt that the first year of the pandemic was characterised by a general lack of support. More recently this has been available in some form, but children and young people say it feels too little too late.

**“ My sister couldn’t get in contact with any of her friends and found home schooling difficult so I wish there had been more support available at the time. ”**

Young Carer, Scotland

Young carers talk about how school support is essential to them both surviving and thriving in education – “when it’s there it’s great, but often it isn’t”.<sup>50</sup>

**“ Good links in the school for every young carer – example, good guidance teacher signed off from homework to ease the strain. Should be considered more widely. ”**

Young Carer, Scotland

<sup>49</sup> COVID-19 for Children and Young People Young Carers, Part 1 - A Place in Childhood

<sup>50</sup> COVID-19 for Children and Young People. Young Carers Part 2 - A Place in Childhood

Young carers in NI are taking on the physical and emotional duties that adults usually handle which can be overwhelming at times. Often, there is no recognition or support within their school environment.

**“ They know about our family, but I don’t think they think about me as a young carer. ”**

Young Carer, Action for Children, NI

**“ To be more considerate with what they say in terms of everyone’s circumstances, e.g., everyone is in the same boat doing online lectures. Whereas matter of fact no one’s circumstances are the same and it can be difficult to keep up with the workload given my own personal situation. ”**

Young Carer, Action for Children, NI

In Wales, research from Public Health Wales (2021) highlights that young carers in Wales are more likely to live in deprived areas, with increased caring responsibilities affecting a young carer’s participation in education.<sup>51</sup> It is also understood that the impact of the Covid-19 pandemic was detrimental for young carers, removing access to support networks and services.

**“ I’m a young carer and cannot afford to have COVID come into the house with my extremely vulnerable grandparents. ”**

Young Carer, Wales

## Homelessness

Homelessness for young people is on an upward spiral. Even before Covid, the homelessness problem had experienced a sharp increase. Initiatives to address this within the three jurisdictions are welcomed.

In NI there has been a 55% increase in the number of children in temporary accommodation between 2019 and 2022.<sup>52</sup> The Government has a range of housing strategies in place; however, gaps persist in relation to support for young people with disabilities, families and young people subject to immigration control and young care

<sup>51</sup> Closing the educational engagement gap for young carers, Public Health Wales, (2021)

<sup>52</sup> Northern Ireland Homelessness Bulletin July-December 2021. Belfast: DfC, Table 3.4

leavers. This includes supports specific to mental health, addiction and human trafficking.<sup>53</sup>

The NI Youth Forum's (NIYF) 'kNOwhere to Go' report engaged directly with young people and raised issues around the stigma of homelessness; the inaccessibility of information about homelessness and the low visibility of the issue of homelessness and youth homelessness.<sup>54</sup>

As a result of the pandemic and subsequent lockdowns closing down significant parts of the economy, unemployment has risen across all age groups. However, young people have been particularly badly hit as they often work in the sectors most affected. Young people are also more commonly affected by 'hidden homelessness', where people do not present themselves as homeless to the housing executive, instead often sofa surfing in friends and / or family's homes.

The issue of appropriate accommodation placements was a significant discussion point for those young people that had experienced homelessness.

**“ My social worker made out that it would be great for me, it literally felt like 5 steps forward 10 back. If I had been told the truth I could have mentally prepared for homelessness. Got there, full of drugs parties my door was constantly knocking I was terrified. ”**

Young Person, NIYF, NI

**“ It's really difficult and embarrassing asking for help when you think you might be homeless, it would be great to go to a place where you didn't feel judged. The best place is somewhere to go where it is only for young people, a friendly environment not like the housing executive. We need youth workers and people who have experienced homelessness to give us the right advice and information. Someone to talk to and someone who actually listens and knows what to do. Tell us the truth too. ”**

Young Person, NIYF, NI

In Wales, young people have shared their experiences of navigating youth homelessness support and the barriers that they have faced when working towards independent living.

<sup>53</sup> Homelessness and Housing Insecurity impacting Children and Young People- Scoping Study April 2022- NICCY, pending.

<sup>54</sup> kNOwhere to Go', A peer approach to preventing homelessness in NI, NIYF, 2022

They raised concerns regarding available support and how it did not help prepare for independent living, facing difficulties with mental health, budgeting and debt arrears.

Care experienced young people have highlighted similar barriers to preparation for independent living when engaging with homeless prevention support.

**“ I used to live in a ‘When I’m Ready’ foster placement, and obviously I weren’t allowed to use the cooker and everything because she didn’t trust me but then, like, I weren’t able to learn any of that, so I left care not being able to cook, not being able to wash my clothes, nothing, and obviously that has impacted me. ”**

Care Experienced Young person, Public Health Wales, Wales

### **Children of prisoners**

Children who have a family member in prison said that there needed to be compassion in the rules and restrictions that come with Covid-19 and any future similar situations to allow people to see friends and family members who are in prison or very ill or very lonely.<sup>55</sup>

**“ Prisoners not allowed out or visit so couldn’t see my dad. ”**

Young Person, Scotland

## **7. Disability, basic health and welfare**

The UK State report says that reducing health inequality is a central ambition for the UK Government. However, the Covid-19 pandemic exposed ongoing health system challenges. For example, persistent inequalities in health outcomes, chronic underfunding of health and social care, and lower levels of doctors and nurses than most other high-income countries leave the country vulnerable to acute shocks such as Covid-19 and growing waiting lists for elective care.<sup>56</sup>

### **Children with disabilities**

Young Consultants involved in ‘A Place in Childhood’s Covid-19’ project felt strongly that people with disabilities and their needs are being brushed aside in this last phase of the pandemic, as all restrictions are removed. Many people are still at risk if they catch Covid-

<sup>55</sup> COVID-19 for Children and Young People: Learning from Families Outside - A Place in Childhood

<sup>56</sup> <https://eurohealthobservatory.who.int/news-room/news/item/06-06-2022-united-kingdom-s-redistributive-health-system-faces-major-challenges>

19 and hospitals are struggling with high admissions. This includes children and young people with severe health problems.<sup>57</sup>

**“Wish there was more consideration for disabled people when restrictions eased. We are still at risk. Being seen as an acceptable loss. Not OK!”**

Young Carer, Scotland

**“News about DNRs for disabled people, really difficult for myself and my family to hear.”**

Young Carer, Scotland

One young person in NI raised the issue of how, in the absence of understandable information from Government during Covid, people were sourcing information from social media which would not necessarily be accurate or helpful and could in fact be very damaging.<sup>58</sup>

**“...do you remember the way they said about beds, that they only had specific rooms for you know normal kids and for special kids and so the kids with special needs if they would have had to make the hard choice to put them down or let the other one live, they were saying this sort of stuff.”**

Young Person with learning disability, NI

In Wales, the findings of the ‘Coronavirus and Me’ report highlighted the disproportionate impact of the Covid-pandemic on disabled children and young people. The findings highlighted that disabled children and young people are more likely to “*feel lonely, sad, need extra help to be happy, healthy and safe.*”<sup>59</sup>

In response to the ‘Locked Out: Liberating Disabled People’s Lives and Rights Beyond Covid-19’ report (2021), a Disability Rights Taskforce has been established to develop an action plan to tackle the inequalities experienced by disabled people in Wales. Young people want to be involved, treated fairly and respected.<sup>60</sup>

<sup>57</sup> [COVID-19 for Children and Young People. Young Carers Part 2 - A Place in Childhood](#)

<sup>58</sup> <https://www.niccy.org/media/3882/niccy-covid-report-main-report-final-aug-21.pdf>

<sup>59</sup> [https://www.childcomwales.org.uk/wp-content/uploads/2020/06/FINAL\\_formattedCVRep\\_EN.pdf](https://www.childcomwales.org.uk/wp-content/uploads/2020/06/FINAL_formattedCVRep_EN.pdf)

[https://www.childcomwales.org.uk/wp-content/uploads/2021/02/CoronavirusAndMe\\_Jan21\\_ENG\\_110221\\_FINAL.pdf](https://www.childcomwales.org.uk/wp-content/uploads/2021/02/CoronavirusAndMe_Jan21_ENG_110221_FINAL.pdf)

<sup>60</sup> <https://gov.wales/locked-out-liberating-disabled-peoples-lives-and-rights-wales-beyond-covid-19.html>

**“ The way some people treat us young people is horrible, we are still people. We are not problems, we are people. ”**

Disabled Young Person, Wales

The cost of living crisis presents as a particular concern to families with children with life-limiting and life-threatening conditions. Targeted support is required to support these families to ensure children’s and young people’s rights are safeguarded.

### **Mental Health**

Children’s and young people’s mental health is a major concern across the three jurisdictions. Children and young people face multiple barriers to mental health support, including lack of government action, very long waiting lists and the quality of the support and information available to them.

In Scotland, in response to a 2021 mental health survey of 1000 young people aged 16-24, 72% of participants said they have struggled with their mental health. Children point to multiple stresses, including exam pressures, the climate emergency, the cost of living crisis, and the war in Ukraine. However, 54% think that young people’s mental health has been taken more seriously since the start of the Covid-19 pandemic.<sup>61</sup>

**“ There’s nowhere near enough support at all. You wait to get signed up, you wait for almost a year and a half, and then you get referred up and up, until you get someone who has no idea what you’re talking about anymore. ”**

CYPCS Young Adviser, Scotland

In Wales, children and young people continue to express the need for accessible support and advice surrounding mental health issues, with calls for preventative measures.

**“ ...helping children deal with stress from a young age so they have the tools to deal with life experiences as they get older. I know from personal experience, especially recently, life changes and situation can be difficult to deal with if not given the right advice on how to deal with them from the word go. ”**

CCfW Young Advisory Panel Member, Wales

<sup>61</sup> <https://www.seemescotland.org/news-and-blogs/young-people-feel-their-mental-health-struggles-are-dismissed-by-adults/>

The Welsh Commissioner’s ‘No Wrong Door – how are we doing?’ report highlighted the multiple barriers that children and young people face in accessing support, long waiting times and being directed to alternative services.<sup>62</sup>

**“ Young people should be at the centre of all support services and there should be no barriers in place to prevent young people from receiving the support they need and deserve. ”**

Young Person, Wales

**“ You should be able to go to them and they help you. You shouldn’t be sent away to find all the different services yourself. ”**

Young Person, Wales

The long-term impact of the Covid-19 pandemic must continue to be considered, with children and young people speaking of how this time has affected their mental wellbeing.

**“ I think that children and young people require more support for their mental health especially surrounding lockdown as I know a lot of people struggle with school and anxiety after isolation. ”**

CCfW Young Advisory Panel Member, Wales

Northern Ireland published its first Youth Wellbeing Prevalence study in 2020, it found that 1 in 8 children and young people in Northern Ireland have an emotional disorder such as anxiety or depression. It also confirmed that rates of common mental health problems are 25% higher in NI compared to other parts of the UK.<sup>63</sup> Young people highlight that the non-mandatory nature of the Emotional Health and Wellbeing Framework is not fulfilling the needs of young people. The NICCY Youth Panel recommended to the Independent Review of Education Panel that the mandatory elements of the curriculum should be identified with the support of, and in consultation with, young people.

The long-term impact of the pandemic on children’s and young people’s mental health has the potential to be significant, especially if appropriate support and intervention is not provided, and requires ongoing monitoring.<sup>64</sup>

<sup>62</sup> <https://www.childcomwales.org.uk/wp-content/uploads/2022/02/No-Wrong-Door-Report-February-2022.pdf>

<sup>63</sup> <https://hscboard.hscni.net/our-work/social-care-and-children/youth-wellbeing-prevalence-survey-2020/>

<sup>64</sup> <https://www.niccy.org/media/3882/niccy-covid-report-main-report-final-aug-21.pdf>



**“ My mental health had worsened and my physical appearance had changed, so I was mostly concerned about others perceiving me in negative ways after not seeing them for over 6 months. ”**

Young Person, YLTS, NI

**“ I’ve been feeling isolated but yet worried about catching the virus – I have been affected negatively it has been hard being stuck in constantly then when I do go to school, I have anxiety in case I get the virus, so it is a no win situation. ”**

Young Person, YLTS, NI

The leading role children have been forced to take in climate justice, eco-anxiety, and worrying about environmental inaction adversely affects children’s mental health.

**“ I know a lot of kids feel very, very strongly about this and it damages their mental health. ”**

CYPCS Young Adviser, Scotland

**“ We are all in a helpless situation where we’re not being listened to. We’re absolutely powerless and it is very stressful for many. ”**

CYPCS Young Adviser, Scotland

### **Health Waiting Lists**

It has long been the case that Northern Ireland has some of the longest health waiting times of all regions in the UK, and that children are being greatly impacted by this, but the extent of the waits and which child health services are most impacted has been less clear.

Some children and young people with scoliosis experience constant pain and discomfort which can have a knock-on effect on their emotional wellbeing and mental health. Children and young people talked about feeling scared and upset about having to wait for treatment or surgery and not knowing what to expect. Others talked about having mood swings, struggling with their body image and isolating themselves from their peers.<sup>65</sup>

<sup>65</sup> <https://www.niccy.org/media/3976/more-than-a-number-child-health-waiting-lists-in-ni-final-19-october-2021.pdf>

**“ I was in unbearable pain, in my shoulder blades, hips and stomach. I had to take days off school - I lost a lot of school time. I was always on pain killers for the pain. I struggled with mood swings and my body image; I was very thin at that time. That was the worst part of the journey. ”**

Young Person with Scoliosis, NI

They also felt that this should not be left to young people to raise with teachers, the clinical teams involved in a child's care should talk to school about each child's needs.

**“ I had to tell the teachers myself, the NHS didn't contact the teachers. ”**

Young Person with Scoliosis, NI

### **Children living with lifelong health conditions**

Children living with lifelong health conditions in Scotland face many structural inequalities which have an impact on their ability to enjoy their rights. Examples include local authorities not providing adequate support or meeting their legal obligations around assessment and support. Sometimes children feel they are being denied their basic rights to education.

**“ You either get individual teachers who are brilliant... but you turn to guidance or senior management team and they have no idea and are terrified of your conditions. You're not what they expect – you're neurotypical and able – bodied. ”**

Young Person, Scotland

Under Welsh Law, children that need to stay in hospital or other healthcare settings should be supported to learn if they are well enough to do so. There are concerns that in practice not all children are able to access learning opportunities whilst staying in hospital. The Children's Commissioner for Wales's is currently undertaking a project to gather the views and experiences of children and young people and to further understand whether they are able to access their right to education in these settings.

### **Poverty**

Poverty affects a child their whole life, in their education, future, study, health, employment, and future opportunities. The cost of living crisis, following on from the Covid crisis, means the cost of goods has never been as expensive for children, young people and their parents. This increase in the cost of living has put acute pressure on their parents

to afford day to day items, with food and energy being the biggest concern. Young people have talked about the impact of austerity.

**“ ...greater recognition and discussion on the impact of austerity on children. ”**

Young Person, Wales

A recent report from the Yorkshire Building Society, 'Inflation Nation' (May '22) highlights that 90% of 11 to 18-year-olds in the UK are aware of the cost of living crisis with 60% worrying their parents or guardians do not have enough money to do the things they want or have the things they need. 25% were also aware of parents cutting back on groceries or fuel and 75% added their parents or guardians have talked about the need to cut back on certain things to save money.<sup>66</sup>

**“ The reality is we are not in a cost of living crisis, we are in a cost of survival crisis. ”**

NICCY Youth Panel Member, NI

**“ ...as prices have been rising and inflation rises, it's just not fair. ”**

CYPCS Young Adviser, Scotland

In NI, there has been a lack of progress on tackling child poverty. While there have been processes put in place since New Decade, New Approach in terms of a review of the mitigation package, and the development of an Anti-Poverty Strategy, neither of these have been delivered.

While decisive action is required to support the poorest families to weather this crisis in the short term, it is vital that these actions sit within a longer-term strategy to lift families out of poverty. This will require child poverty to be prioritised by the NI Executive, and significant funding to be allocated.

In talking to NI's Education Authority Youth Service (EAYS), young people recognised that food insecurity was becoming a more prevalent issue and some young people noted the increase of foodbanks in their local area. One young person remarked:

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<sup>66</sup> Inflation Nation' (May '22)

**“ I remember going to school without any breakfast and being really starving until lunchtime. It was really difficult to pay attention. ”**

Young Person, EAYS, NI

A common theme from engagement events concerned the negative impacts of poverty on a child or young person’s physical, mental and emotional health. The young people were aware that growing up in poverty had led to them being isolated and marginalised and therefore unable to take part in activities with their peers.

**“ Young people from disadvantaged backgrounds have to grow up too quickly and cannot enjoy themselves as they should do when they are young. ”**

Young Person, EAYS, NI

Also, children and young people attribute some bullying to growing up in poverty and disadvantage. They highlighted that young people were bullied because of their appearance or poor hygiene which leads to low confidence and self-esteem. This in turn can lead to the victims being isolated and marginalised and, in some instances, refusing to attend school or youth clubs because of the stigma associated with this.<sup>67</sup>

**“ It’s not just the name calling, it’s the sneaky remarks and everyone laughing at them. It must be difficult to listen to this every day. Some days they wouldn’t turn up. ”**

Young Person, EAYS, NI

Children and young people feel that they need to conform to societal requirements and have all the nice things that other people do such as clothes, shoes and phones. They referred to some young people who were victimised because their family was unable to afford the most up to date clothes, trainers, phones or video games. One young person noted that he had to wear his older brother’s old school uniform as his family were unable to afford a new one and that this had been a traumatic experience for him. He explained:

**“ The slagging went on for what seemed like months. It was hard to deal with. There was nobody I could really talk to. ”**

Young Person, EAYS, NI

<sup>67</sup> EAYS Consultation Report for DfC Anti-Poverty Strategy (May 2021)

CYPCS young advisers highlighted that stigma and stereotyping is a big issue for children growing up in poverty.<sup>68</sup>

**“ It limits their potential, they won’t be able to live their best life. ”**

CYPCS Young Adviser, Scotland

Children experiencing poverty face barriers others do not consider, such as travel costs to and from education.

**“ If you grow up in a deprived area and don’t have access to money, you won’t be able to afford fares for transport or access job opportunities or opportunities as a whole. ”**

CYPCS Young Adviser, Scotland

Children and young people told the Poverty and Inequality Commission in their advice to the Scottish Government’s Tackling Child Poverty Delivery Plan that the provision of free school meals would have a positive impact on the lives of children and young people living in poverty.<sup>69</sup> However, it was felt that the quality and the portion size have decreased.

**“ The standard of the food has dropped significantly from when I started primary to when I finished secondary. Now we’ve learned we should just go out for lunch. It’s cheaper, you get better quality of food and you get more food. ”**

Young Person, Scotland

They also spoke about the unfairness of poverty.

**“ When I think about poverty, I think of inequality. It’s not fair and it’s not right. ”**

Young Person, Scotland

The introduction of free bus travel for under 22s in Scotland on 31 January 2022 was considered to be an important step, although it was felt that this could be extended

<sup>68</sup> CYPCS young advisers consultation on response to Universal Periodic Review Report March 2022

<sup>69</sup> <https://povertyinequality.scot/wp-content/uploads/2022/06/Poverty-and-Inequality-Commission-Child-Poverty-scrutiny-report-2021-2022.pdf>

to trains and trams and there were problems accessing the transport card.

**“ Some people need to get a bus, then a train, then a bus to school. It should be free transport in general. ”**

Young Person, Scotland

**“ A lot of people are struggling to get the card. When my friend heard it he said, ‘Free bus travel? There must be a catch.’ Then I told him you needed to have a Passport or ID to apply and he said, ‘Right, so that’s the catch.’ ”**

Young Person, Scotland

Children and young people across Wales and NI have also called for free public transport for under 18s. They have raised the importance of public transport in relation to poverty in the context of the cost of living crisis and in relation to achieving Net Zero targets to respond to the climate emergency.

**“ Public transport should be more accessible – the buses aren’t where they should be with prices and the efficiency of them. ”**

CCfW Young Advisory Panel Member, Wales

We are increasingly hearing from other professionals that the impact of the cost of living crisis is resulting in essentially ‘another lockdown’ for children and their families, with them unable to afford to use transport to access services. Children in Wales’s 6th Annual Child and Family Poverty Survey findings report (2022), highlighted examples of children being unable to attend hospital appointments due to the cost of public transport.<sup>70</sup>

**“ Buses and trains are expensive and being connected is so important for work and a social life. ”**

Young Person, CiW 6th Annual Poverty Survey Findings, Wales

There are around 34% of children and young people living in poverty in Wales.<sup>71</sup> In Children in Wales’s Child and Family Poverty survey (2022), practitioners indicated that

<sup>70</sup> [https://www.childreninwales.org.uk/application/files/6416/6487/3691/CIW\\_Poverty\\_report\\_2022\\_English.pdf](https://www.childreninwales.org.uk/application/files/6416/6487/3691/CIW_Poverty_report_2022_English.pdf)

<sup>71</sup> [Local-child-poverty-indicators-report-2022\\_FINAL.pdf](#) (endchildpoverty.org.uk)

many families are now at “crisis point”. Examples included children wearing clothes and shoes that are too small for them and, “watering down baby milk to make it last longer”.<sup>72</sup> In Autumn 2022, the Children’s Commissioner for Wales asked 7,873 children and young people their views on a range of issues in a national survey. 45% of children aged 7-11, and 26% of young people 12-18 said they worry about having enough to eat. Almost two-thirds (61%) of children aged 7-11 worried about their families not having enough money for the things they need, as did a majority (52%) of children aged 12-18.<sup>73</sup>

**“ Don’t charge so much to eat in schools. I see so many children having to go hungry because they have no money. ”**

Young Person, Wales

The Welsh Government are introducing Free School Meals for all primary age students by 2024. Rollout began with reception pupils in September 2022.

In the Child and Family Poverty survey findings, children highlighted the impact poverty has on mental health, increasing anxiety, stress and worrying about parents. Bullying was also cited frequently alongside mental health. Children and young people highlighted the need for education to develop further understanding of poverty and its impacts to create a more understanding and compassionate environment for those experiencing poverty.

**“ I think children should be educated about this and the impact that poverty can have from a young age. I think that this will lead to them being more open minded in the future which can stop or limit bullying. ”**

Young Person, CiW 6th Annual Poverty Survey Findings, Wales

**“ My worst experiences were teachers forcing me to explain to them, in front of my classes, why I couldn’t afford proper uniform. ”**

Young Person, CiW 6th Annual Poverty Survey Findings, Wales

Young people are increasingly concerned about having to work to support their families.

<sup>72</sup> [CIW Poverty report 2022 English.pdf \(childreninwales.org.uk\)](https://www.childcomwales.org.uk/2022/11/children-worried-about-having-enough-to-eat/)

<sup>73</sup> <https://www.childcomwales.org.uk/2022/11/children-worried-about-having-enough-to-eat/>

**“ The anxiety of having to work to help support your family. ”**

Young Person, CiW 6th Annual Poverty Survey Findings, Wales

Children and young people acknowledge the link between the impact of food poverty and their educational attainment.

**“ Constantly thinking about food and not being able to concentrate leads to a failure of exams and not being able to get a further education, just adding to the evil cycle. ”**

Young Person, CiW 6th Annual Poverty Survey Findings, Wales

Children living in Scotland’s most deprived communities face a range of barriers to fully engaging in formal education – including those relating to poverty, trauma, digital exclusion and offending. They are often prevented from reaching their full academic potential due to the persistent poverty-related attainment gap, which forms part of the broader well-being gap.<sup>74</sup>

**“ Treat me as an equal. Be bothered about me and I’ll be bothered about you. ”**

Young Person, Scotland

### **Addiction**

Young people felt there was an urgent need for drug, alcohol and smoking rehabilitation services for children and young people dealing with addiction issues. They called for more meaningful awareness and support campaigns in schools and youth centres to prevent children and young people engaging in risk-taking behaviours.<sup>75</sup>

**“ We need an awareness programme involving people who have gone through it, something that will scare the life out of you. ”**

Young Person, EAYS, NI

<sup>74</sup> <https://includem.org/wp-content/uploads/2021/08/The-School-Experience-of-Young-People-Pre-and-During-Covid-19-Report-SPREAD-1.pdf>

<sup>75</sup> EAYS Consultation Report Children’s & Young People’s Strategy Delivery Plans 2021-2024



## Environmental Health

From October 2020 to March 2021, over 100 members of the Children's Parliament (MCPs) participated in Scotland's Climate Assembly. This was the first climate citizen's assembly to have involved children under 16s.

***“ We have a right to grow up in a healthy environment so it's really important children have been involved. ”***

MCP Climate Investigator, Scotland

The MCP's 41 Calls to Action on how Scotland should tackle the climate emergency were laid in the Scottish Parliament as part of Scotland's Climate Assembly full report and recommendations.<sup>76</sup>

***“ My favourite Call to Action is a national tree planting day because trees suck up a lot of carbon and help animals and the eco system because we need to look after animals and the planet. ”***

MCP Climate Investigator, Scotland

Children involved in the Climate Assembly also met with international decision makers during GLOBE International and COP26 to discuss their experiences and to highlight children's Calls to Action on tackling the climate emergency.

***“ My favourite thing about being involved was knowing that people actually cared and wanted to hear about what I had to say so it made me feel like people wanted to know what I thought as a child that's grown up on an island. ”***

MCP Climate Investigator, Scotland

***“ I sort of feel the connection between children and adults can mean a lot when adults are listening to children. ”***

MCP Climate Investigator, Scotland

As part of ENYA's (European Network of Young Advisors) 2022 annual participation project, The Children's Commissioner for Wales's office worked with with sixteen members of their Young Person's Advisory Panel on theme of climate justice. The group discussed

<sup>76</sup> [https://www.childrensparliament.org.uk/wp-content/uploads/Childrens-Parliament\\_Climate\\_Assembly\\_2021.pdf](https://www.childrensparliament.org.uk/wp-content/uploads/Childrens-Parliament_Climate_Assembly_2021.pdf)

the impact of Climate Change on children's rights with a focus on climate action, participation, consumption and carbon footprint. They developed policy recommendations which were presented by two youth representatives at the ENYA forum in the Basque Country.

As part of this, young people (from throughout Europe including Wales, NI and Scotland) raised their concerns regarding recycling, reducing plastic and renewable energy.

**“ I think environmental issues are very important as there is no future for children if there's no planet for them to be on (so a focus on educating children about such issues from a young age). ”**

CCfW Young Advisory Panel Member, Wales

Children have raised their concerns regarding 'climate anxiety'. The Welsh Government have published an engagement plan, Working Together to Reach Net Zero (2022), which includes children's and young people's voices through pledges.

Despite recent consultations on the Green Growth Strategy<sup>77</sup>, young people in NI have expressed concerns about making sure the school curriculum fulfils the need to educate young people about environmental issues. They also have concerns about greenwashing, access to reliable and appropriate information, transparency by government and vitally, more meaningful participation with children and young people.

**“ Make sure all government initiatives do what they say they are doing and are having a genuine impact. ”**

NICCY Youth Panel Member, NI

**“ There should be a dedicated channel to speak directly to decision makers because children and young people will be most affected by climate change. ”**

NICCY Youth Panel Member, NI

<sup>77</sup> Draft Green Growth Strategy, DEARA, 2021

**“ More research on the benefits / dangers of nuclear energy as a sustainable alternative should be carried out to make sure this is a suitable alternative and that the benefits outweigh the risks. ”**

NICCY Youth Panel Member, NI

### Health impacts of Long Covid

We know that the Covid pandemic has had a significant impact on the lives of all children, their experience at home, and their access to school and play. The UK State report says that significant efforts continue to be made to understand and to mitigate the negative impacts the pandemic has had on children, particularly those identified as vulnerable. However, the report does not reference long covid.

The term long covid has been used to describe the long-lasting and complex nature of Covid-19 experienced by an increasing number of individuals, including children and young people. Research about long covid continues to emerge as increasing patient stories and lived experiences are brought to light.

There is not enough public understanding of what it is like to have long covid, and the impact that it has on children’s lives. Symptoms include fatigue, breathlessness, muscle aches, joint pain, ‘brain fog’, memory loss, lack of concentration and depression. As people do not understand long covid and cannot ‘see’ the symptoms, it is difficult to explain how it affects your life. This includes having friends and family that do not understand.<sup>78</sup>

**“ After over a year being ill, family is still not understanding and coming out with really unhelpful comments, and suggestions. ”**

Young Person, Scotland

Children experiencing long covid say that they need clear pathways for treatment that respects their rights and wellbeing. Doctors need to learn about the condition and how to support them.<sup>79</sup>

**“ I wish my doctor knew what I felt like. ”**

Young Person, Scotland

<sup>78</sup> COVID-19 for Children and Young People: What it’s like to live with Long Covid - A Place in Childhood

<sup>79</sup> COVID-19 for Children and Young People: Long Covid Kids Manifesto Asks - A Place in Childhood

**“ I wish I could have seen the doctor sooner because the Tablets helped me. The hospital doctor was kind but the doctor near me didn’t want to help. ”**

Young Person, Scotland

Some young people felt that in public they need something official to prove to others that they are ill, like a sunflower lanyard or a special card, so people respect they have reason to use facilities or seats ordinarily reserved for people with disabilities.

**“ Sunflower lanyard equivalent for Long Covid, or the same as for other disabilities. To help other people understand that you have a hidden disability. ”**

Young Person, Scotland

**“ There are a lot of physical symptoms. My mental health is also bad. I cry a lot. I just want to get better. Nothing the doctors do helps... ”**

Young Female experiencing long covid, NI<sup>80</sup>

Young people in NI, felt that the government should address or focus first and foremost on providing more support for mental health services, as well as increased funding for the community and voluntary sector.<sup>81</sup>

**“ Nobody knows how this will affect people in the future... ”**

Young Person, NIYF, NI

**“ More research into impact of long COVID-19. ”**

Young Person, NIYF, NI

Welsh Government have developed a long-Covid in Children and Young People’s Group to develop a response for children affected by long-Covid. Children experiencing long-Covid have expressed how it has affected their health, wellbeing and education.

<sup>80</sup> <https://www.longcovidkids.org/post/a-teenager-s-experience-of-a-long-covid-clinic-in-northern-ireland>

<sup>81</sup> [Our Voices: Looking Beyond Borders. NI Youth Forum February 2022](#)

**“ Since having Covid I have a constant headache, can't sleep at night, am very dizzy and for the last five weeks I'm not able to stand or walk and need a wheelchair to get around [...] I feel lonely at night because I am awake and I don't have much of a voice so I can't call when I need help. ”**

Young person experiencing long-Covid, Wales<sup>82</sup>

### **Special Educational Needs (SEN) – Early Intervention:**

It is vital that children and young people with SEN have their needs met as early as possible to improve their educational outcomes and opportunities at school. It is also important that schools have resources and strategies in place to allow all children and young people to reach their potential.

One young person noted that he had received early interventions to support his dyslexia in school and the impact this had.<sup>83</sup>

**“ ...big difference in my school life. ”**

Young Person, EAYS, NI

Another young person reflected on how a late diagnosis of autism had affected his brother's learning and overall school experience.

**“ ...if the diagnosis was recognised sooner then his school experience would have been much better. ”**

Young Person, EAYS, NI

Young people felt that school staff needed more training and a better understanding of the issues and challenges faced by children and young people with SEN.

**“ The staff expect us to learn what they teach us, but they don't take the time to learn how to teach us best. ”**

Young Person, EAYS, NI

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<sup>82</sup> [Long Covid: Girl, 10, struggles to walk and talk - BBC News](#)

<sup>83</sup> Education Authority Youth Service (EAYS) consultation on Special Educational Needs and Disabilities (SEND) Review in Schools (2021)

Training should cover both to help with the detection of children and young people requiring support as well as providing the right support to each child or young person depending on the needs they present with.

**“ A generic approach is not appropriate; we are not all the same in our needs and it requires a more individualised response. ”**

Young Person, EAYS, NI

## 8. Education, leisure and cultural activities

### Educational Inequalities

There are marked inequalities across the three jurisdictions with regard to attainment in education. Specific groups of children and young people are much more likely to do better or worse in education depending on their characteristics and / or circumstances. The Department of Education in NI has identified groups of children who are at particular risk of underachieving, including Traveller children; children from ethnic minorities; children with additional needs and children from disadvantaged backgrounds.<sup>84</sup>

Young unaccompanied asylum seekers and refugees in Scotland said they need a fair, consistent and flexible education offer. English lessons could be more practical, and they might learn other skills while they learn English. For example, some young people felt the best way to learn was through work experience. Also, learning alongside other young people would help them to integrate.<sup>85</sup>

**“ My body arrived in Scotland, but I felt like I had lost my mind on the way. Young people like me need to learn, have fun and take part in activities. I think I’d ask her (the First Minister) if she can make it easier for asylum seekers to study as well. We need the education to build our futures and reach our goals. ”**

Young Asylum Seeker, Scotland

In NI, gaps in educational attainment are evident across a range of groups but the most pronounced differences are between the GCSE attainment of those with Free School Meal Entitlement (FSME) and non-FSME pupils. In 2020-21, only 59.8 per cent of school leavers with FSME achieved at least five GCSEs, including English and Maths, compared

<sup>84</sup> Appendix 1, Priorities for Youth Consultation Document, Department of Education.

<sup>85</sup> <https://www.aberlour.org.uk/refugee-week-2022-listening-to-young-peoples-voices/>

to 83.8 per cent attainment rate for non-FSME school leavers.<sup>86</sup> Notably, the attainment gap between non-FSME and FSME school leavers has not changed significantly in the last 15 years, demonstrating that much more work is needed to ensure that all young people experience their right to an effective education.

**“ Article 2 (of the UNCRC) states that the Convention applies to every child without discrimination, whatever their ethnicity, gender, religion, language, abilities or any other status, whatever they think or say, whatever their family background...are the different forms of education in NI equally accessible to all children and groups of children. ”**

NICCY Youth Panel, NI<sup>87</sup>

Similarly in Wales, gaps in educational attainment are reported, with children from disadvantaged socio-economic backgrounds being on average 22-23 months behind their peers at the time of sitting their GCSEs. Educational inequalities were also reported for children with SEN and from some ethnic minority backgrounds.

Children with additional learning needs (ALN) highlighted the need for further understanding from teaching staff to help promote equitable education experiences.<sup>88</sup>

**“ Whenever I got overwhelmed in school I felt like I couldn't do anything about it ”**

Young Person with ALN, Wales

**“ I've been told off for stimming and doodling more times than I can count. They don't listen when I tell them that I need it to function. ”**

Young Person with ALN, Wales

## Transfer Test

In NI, the Children's Commissioner has often stated that the transfer test is unfair, and discriminates against children from poorer families, those with Special Educational Needs and those experiencing other adversities.

<sup>86</sup> [Qualifications and destinations of Northern Ireland school leavers infographic 2020-21.PDF \(education-ni.gov.uk\)](https://www.education-ni.gov.uk/qualifications-and-destinations-of-northern-ireland-school-leavers-infographic-2020-21.pdf)

<sup>87</sup> <https://www.niccy.org/media/4139/niccy-youth-panel-review-of-education-report.pdf>

<sup>88</sup> [Inequalities in GCSE results across England and Wales - Education Policy Institute \(epi.org.uk\)](https://www.epi.org.uk/inequalities-in-gcse-results-across-england-and-wales)

The continued existence of the transfer test and associated academic league tables, has resulted in parents, and wider society, seeing schools as either a 'good' (grammar) or 'bad' (non-grammar) school. With the lack of a vocational focus within the curriculum, children end up being labelled as failures at 11 years old.<sup>89</sup> Young people are aware of this and carry it with them throughout their educational journey.

**“ Big one for me around post primary is the grammar school situation and the whole inequality that exists must be touched on. ”**

Young Person, Include Youth, NI

**“ The selective system does a lot of damage. Whatever way they dress it up, if you haven't got your 11 plus (transfer test), you've failed. And a lot of adults that I have spoken to have felt a failure from the point of taking their 11 plus. ”**

Young Person, Include Youth, NI

One young person challenged the decision makers:

**“ We still have a selective system and if you want that to remain then you have no consideration for young people suffering from that.... ”**

Young Person, Include Youth, NI

### **Education during Covid**

Learning from home during the pandemic had a mixed impact for children and young people, with some reporting positive impacts but many others experiencing negative impacts. It is those children who were previously facing barriers to education who have been most adversely affected by school closures. Not all children were able to access learning in an accessible way or in the most appropriate manner. Nor was every child able to access the devices or connectivity, as well as the space within their homes, required to facilitate effective remote learning. On the other hand, some young people reported benefits of learning from home.

<sup>89</sup> Evidence to Expert Panel on Educational Underachievement and Social Disadvantage. Include Youth (2020)



**“ Home learning is difficult when your parents are essential workers and / or don’t speak English very well. I need to take care of my little sister all day and explain the worksheets her teachers have sent her and it’s difficult to do all this while sharing one device for us all. ”**

Young Person Wales

**“ My headaches from stress at school have dramatically reduced. I don’t feel the same pressure however I am still doing the same and maybe more work than usual. I have enjoyed working from home however I will enjoy school when we get back. ”**

Young Person, Wales

**“ During the period of online learning the right to education was impeded for some and the technological disparities between households of different socioeconomic backgrounds caused a difference in quality of education. ”**

Young Person, NIYF, NI <sup>90</sup>

In NICCY’s ‘A New and Better Normal’ report into children’s and young people’s experiences of the Covid-19 pandemic, young people were aware of the impact of Covid in their education.<sup>91</sup>

**“ Well, with education it’s been somewhat of a roller coaster. It’s like a seesaw if you like. It’s one minute we’re in school, then we’re in lockdown, so we’re out of school for like, I think it was four or five months. Then we’re back to school for three, four months again, then we’re out of school back in lockdown. Now we’re back in school. It’s confusing. And it’s actually affected my work very, very negatively. ”**

Young Person, MACS, NI

<sup>90</sup> Our Voices: Looking Beyond Borders, NI Youth Forum February 2022

<sup>91</sup> <https://www.niccy.org/media/3882/niccy-covid-report-main-report-final-aug-21.pdf>

**“ With home learning it’s not been so easy to get support from teacher, tough when learning new things. (I) Send comments to teacher during class and only get feedback after class ends. Real time support is not available. ”**

Young Person, Cancer Fund for Children, NI

There was a perception by young people that, rather than reducing the level of assessment, the decision to cancel the summer 2021 exams series had generated the same, if not more, work than would have been the case had they been sitting formal examinations.

**“ We are still being assessed like for me anyway I am being assessed the way I would have been last year, like it’s the same exams, it’s the same thing, like well we’re not doing exams; that’s the only thing that’s been cut, but it’s that exact same coursework. ”**

Young Person, VOYPIC, NI

**“ There’s never been more irony in the thought of sending us Back to school for our mental health, when these expectations of exams have been the pinnacle of the destruction of the mental health of young people this year! ”**

NICCY Youth Panel Member, NI

**“ I think also having to do assessments and the uncertainty of What was happening with my GCSEs was very stressful, I felt like I had already failed them before they started. ”**

Young Person, YLTS, NI

Difficulty in accessing digital devices had an impact on remote learning.

**“ So at the moment my work is building up because I fell behind over lockdown because I had no access to a laptop. So I couldn’t have done any work, and it should be noted that the [course] I was doing was ICT. ”**

Young Person, MACS, NI

**“ I kind of got a bit lucky actually because some people actually didn't have any devices. My social worker had asked the school to give me one, or I should say loan one out to me. So they gave me a laptop, and I was able to do it. But some people actually haven't been able to do any work at all. ”**

Young Person, MACS, NI

The findings of the 'Coronavirus and Me' survey in Wales highlight how children with disabilities or from ethnic minorities have struggled more than their peers during this period.<sup>92</sup> Children and young people of Black, Asian and other ethnic minority groups were more likely to feel lonely and less safe than their peers.

**“ When I sit down to listen to the news with my mom it scary hearing how people are dying from the virus and knowing that schools in England are going reopen makes it more scary because I think we are going to be going to school too. I feel for my mom and teachers in case I catch it and pass it to my mom who have a poor health. ”**

BME Young Person, Wales

**“ I mean, because of the lockdown I only socialise with people on the phone, probably more from my country and I don't talk as much English as before. So because of that, that will be another problem. When I can't really speak English as good as before or when I don't feel enough confidence that would be something that I am worried about, nervous about. I mean when we get back to normal life, you can't really communicate with people as you could before, as well as before if you know (what) I mean? ”**

Young Person, MACS, NI

Disabled children and young people were more likely to feel worried, sad and unsafe and some young people were concerned about the potential affect they could have on vulnerable siblings.

<sup>92</sup> [https://www.childcomwales.org.uk/wp-content/uploads/2020/06/FINAL\\_formattedCVRep\\_EN.pdf](https://www.childcomwales.org.uk/wp-content/uploads/2020/06/FINAL_formattedCVRep_EN.pdf)

**“ There should be a lot more support for people who are vulnerable and didn’t get a letter to self isolate and more support for every family and individuals with food, because myself and my mum and my sisters feel like we are begging for food and help. ”**

Young Person, Wales

**“ My little brother has medical issues and they were frightened at how it would affect him if it came into our home. They were worried about us all but his body cannot fight infection. We 47 had not been in contact with anyone other than our household and all groceries etc were delivered to garage so they were very nervous. ”**

Young Person, YLTS, NI

Young people are worried about the impact the pandemic and learning from home will have on their future study and employment prospects.

**“ Things are being put back in and you are expected to know stuff in Year 12 that we didn’t cover in year 10/11 – we should keep it the same as last year so that we are only examined on what we have done, as then I have universities who have high grade expectations. ”**

CCFW Advisory Panel Member, Wales

**“ Worried – I’m worried the qualifications I’m awarded won’t be seen in the same way by future employers. ”**

Young Person, Wales

Children have reflected on the role of school in helping shape their health and wellbeing, considering the impact this time away has had on them.

**“ I feel really angry and frustrated that nearly a year of my childhood has been lost. I love and thrive in going to school and the total lack of any structure and routines is really affecting me now. I have put on weight as I can’t even play football which I love. I’m really sociable and haven’t seen friends for months and have no idea when I will again. Every day is the same and I feel quite hopeless as the Welsh government keep pushing back when we can get back to school which is what I really ”**

***want to do more than anything, to have something to get up for each day. I want this to be over and start living my life again.***

Young Person, Wales

**“ *The most difficult things faced by young people and children during the pandemic, I feel, is the stress of school and expectations to get good grades and complete school work, when at home where some people do not have access or time to complete or teach themselves, due to outside influences i.e., looking after younger siblings etc. I feel the government need to address the issue of children not being able to access resources they would in school, like computers, textbooks, etc. so that all children have an equal chance to get a good education. This needs to be a permanent change made by the government so all children own a computer have their own resources to do homework, not just a short time fix or borrow from school.* ”**

Young Person, YLTS, NI

The inequality of experiences must continue to be considered in the forward planning of education.

### **Educational impact of Long Covid**

Children with long covid have spent a lot of time off school. When remote learning returned in early 2021, it helped some of them stay engaged, and they felt this approach could offer a way of keeping up at their own pace as it is difficult to pay attention in class when you are experiencing brain fog and feeling fatigued. Some find school is quite understanding, while others feel it is not working well at all.<sup>93</sup>

**“ *I tried going back to school but I was feeling really sick all the time. I had a headache and sore tummy and I was too tired to do any work in my class. Mummy tried to help but I found school too noisy and too bright and just overwhelming.* ”**

Young Person, Scotland

Greater understanding of long covid and what it means for children’s learning is important. More opportunities to learn in a flexible way could support children experiencing the condition.

<sup>93</sup> [COVID-19 for Children and Young People: Long Covid Kids Manifesto Asks - A Place in Childhood](#)

**“ Give us more time to do things. If I could take home some work. Relax while we do the work, could also get a parent to help. They don’t send home much work. ”**

Young Person, Scotland

**“ Schools need to not exclude us by not telling us what other people are doing. Try and stay in touch more and give tasks. ”**

Young Person, Scotland

The impact of long covid had a profound impact on one young person in NI - as told by her mother, *“Three months earlier, (name) got 9 As and an A\* grade at GCSEs. Now she can't form a simple sentence.”*

One young person in NI summed up their experience and longer term thoughts on living through covid.<sup>94</sup>

**“ Our education has been effected (sic) drastically and the government has failed to provide support and reassurance as they have went back on countless decisions they made. This broke trust and respect I had for the government as they clearly didn’t have a clue what they were doing. All their decisions seemed last minute and they very much kept the people in the dark which allowed people to build things up in their head. One of the situations that affected me is when Peter Weir (then Minister for Education) said we are definitely doing exams then changed his mind less than a week before my English and Math GCSE. I have now had to sit over 4 exams for each subject. This has added so much stress to my life. This has been the worst year of my life. I also struggled greatly with my mental health, as did my peers. Being kept in the house for such long periods of time made me feel alienated from my community. This eventually resulted in me having social anxiety when we were allowed to go out which has put a gigantic strain on my relationships. By sitting inside all day by myself as my parents work for the NHS bar my one walk a day allowed me to have a lot of time to think. I was on social media for a large percentage of the day. This meant I was exposed to influencers perfect images, bodies and life. This made me feel like I was abnormal by**

<sup>94</sup> <https://www.niccy.org/media/3882/niccy-covid-report-main-report-final-aug-21.pdf>

*feeling down and not being able to cope with lockdown. I compared my life, body to these people. This resulted in me going long periods without eating which made me lose 2½ stone. As I was so tired and feeling utterly disgusted with how I looked, I stopped all contact with my friends and isolated myself. This allowed these feelings to fester in my mind and grow. The government don't understand the severity of the situation on teenagers' mental health. I don't know how I am going to recover from this.*

Young Person, YLTS, NI

### **Voice of Young People in Education**

Many young people were aware of being part of a democratic deficit with regard to not having their voice heard, not only in wider society but also within the school environment. Whilst understanding that there are good examples of young people's participation in the decision-making process within schools, within the community and with statutory agencies / government departments, there is no consistency in existing participation mechanisms.

*“ The Department of Education should create a Pupil Participation Policy, aligned with appropriate resources to enable schools to support students to establish participation forums/school councils. ”*

NICCY Youth Panel, NI<sup>95</sup>

*“ An authentic age appropriate school voice is required to provide better communication and clarification from schools to young people, and to which young people can provide opinions and ideas. ”*

Young Person, YLTS, NI

### **Education Curriculum**

In Wales, whilst there is a sense of optimism from young people that the new curriculum seeks to reflect the views and experiences of children and young people, for older young people there is a sense of frustration that they will not benefit from this learning opportunity.

<sup>95</sup> <https://www.niccy.org/media/4139/niccy-youth-panel-review-of-education-report.pdf>

**“ ...it's good to hear about the new curriculum but it's hard not to feel left behind when it won't affect our year groups. ”**

CCfW Young Advisory Panel Member, Wales

Equality and inclusivity in education is raised by children and young people, seeking increased representation of diversity within education settings and the curriculum. The new Curriculum in Wales has made the teaching of black history mandatory within schools.

**“ Need more inclusivity – lack of diversity in curriculum and staff – no support in education for people of different cultures. ”**

Young Person, Wales

In NI, from the Commissioner's Youth Panel's work, and the engagement they undertook in preparing their report and recommendations to the Independent Review of Education, it was obvious there was an appetite for change within their education system. As the Youth Panel concluded in their report:<sup>96</sup>

**“ We envisage an education system of top quality, that adequately prepares children and young people for their futures, that's used as an effective resource to deconstruct the sectarian divides so heavily entrenched into our society, one that enables and supports young people in challenges in their life, and one that teaches all young people with the best educational standards, without heed or barriers from social class, religious background and cultural identity. ”**

### **Child Rights Education**

Unfortunately, amongst the children and young people population, there is a low awareness of the UNCRC.

In the UK State report, it reveals that 30% of young people were aware of the UNCRC and knew what it meant, and a further 26% had heard of it. Even with an overall figure of 56% of young people having heard of the UNCRC, the UK Government recognised that further steps need to be taken to raise awareness of the UNCRC.

Learners in Scotland had an opportunity to have their say in a public consultation on aspects of education reform. Consultations with children were facilitated by the Children's Parliament, Scottish Youth Parliament and Together (Scotland's Association of Children's

<sup>96</sup> <https://www.niccy.org/media/4139/niccy-youth-panel-review-of-education-report.pdf>



Rights). Whilst a majority (more than 50% but less than 75%) of primary aged children said that their education helped them develop respect for human rights and freedoms returns from secondary aged children were more problematic.<sup>97</sup>

**“ We learn about rights in class. We are quite respectful to each other at our school. ”**

Young Person, Scotland

There were views that the teaching of human rights and freedoms lacked depth and was not necessarily matched by an experience of rights and freedoms in education settings; in other words, the rights of individual children are not thought to be respected or protected consistently.

**“ We get taught about them but they could be acted on better. ”**

Young Person, Scotland

The new curriculum for Wales will be phased into education from September 2022. As part of the new curriculum for Wales, children, staff and governors will be required to learn about the UNCRC and UNCRPD. Young people have expressed views in support of the actions of the Welsh Government, endorsing the need for rights to be included in the curriculum.

**“ Should set up a network of rights panels in Wales, possibly in Every school/ educational establishment, in order to spread a strong message and to inform kids of their rights. ”**

CCfW Young Advisory Panel Member, Wales

**“ Make it part of the curriculum from primary school to start learning about rights from a young age. ”**

CCfW Young Advisory Panel Member, Wales

Young people reflected that during the pandemic, education and awareness of the UNCRC within education settings was often not prioritised with focus given instead to curriculum-based topics.

In NI, the 2020-2030 Children and Young People’s Strategy (CYPS) is a crucial instrument

<sup>97</sup> <https://www.childrenparliament.org.uk/education-reform/>

in delivering children's rights in this jurisdiction. It has highlighted Article 4 of the UNCRC which requires Government to take all appropriate legislative, administrative and other measures to implement children's rights and states that the Strategy is Northern Ireland's plan to deliver improved wellbeing for children and young people and it is rooted in the UNCRC.<sup>98</sup>

Regarding awareness levels of the UNCRC, in the recent 2020/21 Young Life and Times (YLT) and Kids Life and Times (KLT) surveys young people were asked, 'Have you heard of the UNCRC?'. The YLT survey, targeted at 16 year olds, highlights that only 33% of young people had heard of the UNCRC.<sup>99</sup> The KLT survey, targeted at P7 pupils, is much worse with only 14% of pupils having heard of the UNCRC.<sup>100</sup>

The NICCY Youth Panel's presentation to the Independent Review of Education Panel (2022) reflected one of the UN Committee's 2016 concluding observations.<sup>101</sup>

**“ Reflecting one of the UN Committee's 2016 concluding observations, we recommend that children's rights education should become mandatory as soon as possible. ”**

NICCY Youth Panel, NI

### **Restraint, exclusion and isolation**

Rates of exclusion in Scotland are significantly higher in the most deprived areas (bottom 20% of Scottish Index of Multiple Deprivation (SIMD), compared to the least deprived areas (top 20% of SIMD). The rate of exclusions per 1000 pupils is 35.4% in the most deprived areas, compared to only 8.2% in the least deprived areas. Children and young people feel that responses to their behaviour is often disproportionate and that, ultimately, exclusion is not helpful for young people.<sup>102</sup>

**“ Suspending me makes me want to go to school even less. ”**

Young Person, Scotland

<sup>98</sup> [final-executive-children-and-young-people-s-strategy-2020-2030 \(education-ni.gov.uk\)](https://www.education-ni.gov.uk/final-executive-children-and-young-people-s-strategy-2020-2030): Pg 9 & 10

<sup>99</sup> [Young Life and Times Survey 2020-21](https://www.niccy.org/media/4139/niccy-youth-panel-review-of-education-report.pdf)

<sup>100</sup> [Kids' Life and Times 2020-21](https://www.niccy.org/media/4139/niccy-youth-panel-review-of-education-report.pdf)

<sup>101</sup> <https://www.niccy.org/media/4139/niccy-youth-panel-review-of-education-report.pdf>

<sup>102</sup> <https://www.gov.scot/publications/school-exclusion-statistics/>

<https://includem.org/wp-content/uploads/2021/08/The-School-Experience-of-Young-People-Pre-and-During-Covid-19-Report-SPREAD-1.pdf>

In NI, NICCY's 'Neither Seen Nor Heard' report identified examples of inappropriate use of restraint and seclusion.<sup>103</sup>

**“ I seen school staff holding him down most days... ”  
He was locked in a room in school.**

Sibling of young person who experienced restraint  
and seclusion in a mainstream school, NI

The Building Blocks report published by the Children's Commissioner for Wales highlights concerns regarding the number of fixed-term exclusions issued to foundation phase children. Case work received by the Commissioner's office show incidences where unlawful (or 'unofficial') exclusions were experienced by Foundation Phase-aged children, along with examples of children being taught in isolation or significantly reduced timetables.<sup>104</sup>

### Play and leisure

After the challenges of the pandemic children and young people have said they want a return to the play that they enjoy.<sup>105</sup>

**“ Imaginative play and running around with my friends – ”  
park/school/beach/wood with sticks and stuff like that.**

Young Person, Scotland

Play is of overwhelming importance to children and young people. Children with additional support needs wanted to see a significant improvement in outdoor play to meet their needs.

**“ Please make sure there be more places for additional needs ”  
children. It is a big message that outdoor parks reopened in the  
summer of 2020 but sadly the disabled children were forgotten.**

Young Person, Scotland

<sup>103</sup> <https://www.niccy.org/media/4026/niccy-restraint-and-seclusion-main-report-final-16-dec-21.pdf>

<sup>104</sup> [https://www.childcomwales.org.uk/wp-content/uploads/2020/12/Building-Blocks-Report\\_E.pdf](https://www.childcomwales.org.uk/wp-content/uploads/2020/12/Building-Blocks-Report_E.pdf)

<sup>105</sup> [https://www.playscotland.org/resources/print/CHILDREN AND YOUNG PEOPLE-Play-Strategy-Consultation-2021.pdf?plsctl\\_id=20946](https://www.playscotland.org/resources/print/CHILDREN AND YOUNG PEOPLE-Play-Strategy-Consultation-2021.pdf?plsctl_id=20946)

Summer of Fun (SoF) and Winter of Wellbeing activities have been funded by the Welsh Government to promote play and socialisation, as we emerged from the pandemic. Children and young people enjoyed the opportunity to have fun and, socialise and were supportive of the financial accessibility of activities, whilst also highlighting the usual lack of provision for children and young people.<sup>106</sup>

**“ (I would be) literally stuck in my house. There's nothing for my age range. I don't work, so paying £5 for activities, I would struggle, I can't afford to do that. ”**

Young Person, Summer of Fun Evaluation Report, Wales

**“ [SoF] taught me new skills that I can use in later life, and it was lots of fun! ”**

Young Person, Summer of Fun Evaluation Report, Wales

It was noted that further measures should be taken to increase the reach of future provision and ensure activities are inclusive. This recommendation reflects wider observations and comments from young people regarding the availability of accessible spaces to play for disabled children and young people. When asked what would make Wales a better place for children and young people, one response was:

**“ Accessibility in parks for all young people, as a disabled young person it is not fair not to be able to play. ”**

Disabled Young Person, Wales

## 9. Special protection measures

### Asylum seeking, refugee and migrant children

Refugees and asylum seekers represent some of the most vulnerable people in our society and it is imperative that they receive the help and support required to help them live a normal life during a challenging time. The UK State report notes that the government is committed to ensuring the best interests of all children are a primary consideration in any decision that affects them.

<sup>106</sup> [Summer of Fun evaluation \(summary\) | GOV.WALES](#)

Young unaccompanied asylum seekers and refugees in Scotland said they needed state support that truly listens and caters to their needs. They suggest that training for workers should be consistent in the level of care and understanding of their needs, from the people they depend on for support. They wanted greater responsiveness to urgent needs and consequences for abusive behaviour, they need to know who in a local authority they can call upon for complaints about their treatment by social workers and know their rights. They felt that they needed more help transitioning into independent life and getting the rest and leisure they need.<sup>107</sup>

**“ Think of refugees like ordinary people, who need to rest or to travel or go on trips. Think about the recreational needs of a normal person in this position. I was born and grew up in nature and no one thinks of how hard it is for a person like me to spend 9 months in a polluted city without nature. ”**

Young Asylum Seeker, Scotland

In NI, some young refugees were conscious that the local people have already stereotyped them before they arrived in the school making them feel anxious and scared about how they would react. One refugee recommended that the school teach the local young people more about refugees to help remove the stigma and labelling around them.<sup>108</sup>

**“ We are not like the movies make us. ”**

Young Refugee, EAYS, NI

Some young people discussed the need for more practical solutions for refugee and asylum seeker children and young people in accessing the curriculum. Many young refugees and asylum seekers experience difficulties understanding the curriculum and questions in their exams. They felt their schoolwork and exams should be translated into their own language or alternatively they should have the use of a scribe to assist them.

**“ My learning is a year behind other pupils who are the same age and in my school year, because I have to adapt to learning a new language. ”**

Young Refugee, EAYS, NI

<sup>107</sup> COVID-19 for Children and Young People: Learning from Unaccompanied Asylum Seekers and Refugees - A Place in Childhood

<sup>108</sup> Refugee Integration Strategy Consultation, EAYS, 2022

Similarly, young asylum seekers and refugees in Wales requested increased access to electronic translation. They highlighted that phones were not allowed in school which made translation for English as an additional language challenging, affecting their education.

Other young people were aware of the support refugees and asylum seekers require.<sup>109</sup>

**“ For me it is all about support for refugees and asylum seekers. As a society we need to recognise and welcome diverse needs and cultures; more support in terms of language barriers; more support in terms of linking in with social networks, sports clubs, etc. ”**

Young Person, NIYF, NI

There has been a positive welcome in Wales for Ukrainian refugees, with Welcome Centres set up to support the arrival of children and their families. It is important that the views and experiences of children and young people are considered as support services are developed and needs arise. There are ongoing concerns regarding safeguarding, the risk of exploitation and trafficking, and move-on accommodation options which must continue to be addressed.

More broadly, The Nation of Sanctuary Refugee and Asylum Seeker Plan (2019)<sup>110</sup> sets out the commitments from Welsh Government to improve outcomes for Refugees and Asylum Seekers in Wales.

### **Juvenile Justice**

Children and young people in the Youth Justice system are a particularly vulnerable group whose views and needs are often overlooked.

The UK State report says that the State Party strives to protect all children, no matter what situation they find themselves in, and that custody should always be a last resort for children. The UN Committee on the Rights of the Child advises that the minimum internationally acceptable age of criminal responsibility should be no lower than 14.

However, the UK Government has no plans to raise the minimum age of criminal responsibility in Wales and believes that children aged 10 can differentiate between bad behaviour and serious wrongdoing. In December 2021, Scotland raised the age of criminal responsibility to 12, and NI's current Minister of Justice is supportive of increasing the age of criminal responsibility from 10.

<sup>109</sup> [Our Voices: Looking Beyond Borders, NI Youth Forum, 2022](#)

<sup>110</sup> [https://gov.wales/sites/default/files/publications/2019-03/nation-of-sanctuary-refugee-and-asylum-seeker-plan\\_0.pdf](https://gov.wales/sites/default/files/publications/2019-03/nation-of-sanctuary-refugee-and-asylum-seeker-plan_0.pdf)

Some young people articulated that anti-social behaviour was a direct consequence of poverty and explained that young people living in poverty were more likely to turn to crime and end up in the youth criminal justice system.

During Covid, young people told NICCY of their concern at not being able to attend court hearings.<sup>111</sup>

**“ There’s one thing I’d like to say, the staff attend our court on behalf of us, I think we should be able to attend our own court, so we know what’s happening and we hear it. Because for all we know the staff could be saying something else than what the judge says, so I would prefer to be there. ”**

Young Person in Juvenile Justice System, NI

Young people also talked about the impact of covid on visits to the Juvenile Justice Centre.

**“ Covid affected my mental health and also reduced my contact with my siblings. My culture was not understood around contact. ”**

Young Person in Juvenile Justice System, NI

Experiences of ‘stop and search’ shape the views of many young people and their peers and in turn will impact on their confidence in the police, if they are victims of crime in the future.

Young people regularly raise the issue of ‘stop and search’ and they feel targeted and victimised as a result of the use of ‘stop and search’ powers. Young people also believe that ‘stop and search’ powers are used against them at a much higher rate than against adults. They feel that their age, appearance, location and family history meant they were demonised and specifically targeted by police officers. They believe this manifested itself as extra attention, excessive use of ‘stop and search’, constantly being viewed with suspicion, being looked down on by police officers, being forced to disperse from public spaces and in many cases incivility.<sup>112</sup>

**“ They stop and search me all the time. ”**

Young Person, Include Youth, NI

<sup>111</sup>A NEW AND BETTER NORMAL Children and Young People’s Experiences of the Covid-19 Pandemic

<sup>112</sup> Response to Draft Northern Ireland Policing Plan Consultation 2020-2025, Include Youth (2020)

**“ They use the terrorism law to stop and search us, not allowed to do this but because we are young they get away with it. ”**

Young Person, Include Youth, NI

**“ They don’t give you a reason for stopping you, they just say it’s about drugs or weapons, but they don’t give an actual reason. ”**

Young Person, Include Youth, NI

**“ I have asked for a stop slip before, they just laughed at me and said there were none. ”**

Young Person, Include Youth, NI

In answer to the question, ‘do you think the criminal justice system should be changed for children?’, a small number of care and justice experienced young people from Youth Justice Voices in Scotland said that children should be seen as children and not adults, whether that is during legal processes or being deprived of their liberty. Young people should be treated like a minor and not be judged or stigmatised which leads to them being treated differently.<sup>113</sup>

**“ They don’t look at your age, they look at what you’re in for. ”**

Young Person, Scotland

They talked about having a person of contact who could support them through the whole process so that they understood everything.

**“ There should be someone to support you through the process. ”**

Young Person, Scotland

In response to the question, ‘secure care or young offenders’ institution (YOI) for Under 18s?’, the young people said it was more likely that they would be treated as a child or young person in secure care rather than in a YOI environment. As stated by Youth Justice Voices, “All remand / sentences should go to secure. Putting anyone into a YOI u18 is wrong. YOI are not equipped to meet the mental health needs of children. They cause

<sup>113</sup> <https://www.staf.scot/blog/youth-justice-voices-response-to-childrens-care-and-justice-bill>



*trauma – the way they look, sound, mechanism involved in getting there is traumatic and not child friendly.”*

In remand settings there is little throughcare and aftercare support which led to reoffending.<sup>114</sup>

**“ Right back to square one which leads to re-offending...nae ”  
money, nothing and then go back to where I used to be.**

Young Person, Scotland

Cross-border placements should not happen and we should not be placing Scottish children hundreds of miles from their family, community and friends either.

**“ It would not be familiar for them and they should be ”  
accommodated where they live or close to where they live.**

Young Person, Scotland

Some young people in a Secure Care Centre in NI thought that the Secure Care Centre should not be used for young people being considered for bail.<sup>115</sup>

**“ I do not agree with being held in the centre because of no bail address. ”  
This happened to me and I was held for weeks because I had no bail  
address. And I had no charges because they had all been withdrawn.  
I think the (Health and Social Care) Trust and social workers need to  
get better at sorting out accommodation.**

Young Male, Secure Care Centre, NI

There is a breadth of positive work taking place across Wales’s Youth Justice and Policing Sectors to better involve children in the way services are delivered and to work in a rights informed way to improve outcomes for children. There is an increasing commitment from policing to involve children in developing services and ensure staff are trained in children’s rights. Some examples include dedicated children’s rights teams, young people’s panels, participation plans and jointly developed resources with young people. However, many children still do not experience their rights in these settings.

<sup>114</sup> <https://www.staf.scot/blog/youth-justice-voices-response-to-childrens-care-and-justice-bill>

<sup>115</sup> <https://www.voypic.org/wp-content/uploads/2021/01/ESTABLISHMENT-OF-A-REGIONAL-CARE-AND-JUSTICE-CAMPUS-VOYPIC-RESPONSE.pdf>

Children highlighted the need for safe and appropriate accommodation, in line with their rights.

**“ Children should not be put in police cells, ”  
which are often dirty and smelly and not clean.**

Young Person in the Juvenile Justice System, Wales

The Youth Justice Blueprint for Wales provides a route to reform the approach to youth justice services in Wales. The over-representation of children from ethnic minority backgrounds, care-experienced and those with additional learning needs (ALN) must be considered throughout the delivery of plans.

Children and young people have highlighted that more needs to be done to share information with them about the progress of this work.

### **Paramilitaries/Crime Gangs**

The UK State report says the protection of children from paramilitary style attacks and recruitment is a priority in the UK. In NI, the NI Executive’s ‘Tackling Paramilitary Activity, Criminality, and Organised Crime’ Programme provides direct service provision to young people through multi-agency projects to increase protection against the risk of paramilitary involvement and harm.

However, in NI, some young people thought that young people living in poverty were more likely to turn to crime and end up in the youth criminal justice system. One group also recognised that these young people were also more likely to be targeted by paramilitaries and other gangs as a means of getting access to money or status in their community. A youth worker supported this noting that, “*Paramilitaries prey on these vulnerable young people and exploit them for their own ends. They don’t care that they get criminal records as there are always more to take their place.*”<sup>116</sup>

The presence and threat posed by paramilitaries has been highlighted during the course of numerous consultations over recent years with young people on a range of issues including safeguarding, policing, the care system, etc.<sup>117</sup>

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<sup>116</sup> Youth Service Report on the Engagement with Young People for the Department of Communities Anti-Poverty Strategy (May 2021)

<sup>117</sup> Response to Programme for Government Draft Outcomes Framework, Include Youth (March 2021)

**“ Paramilitaries know you – there’s certain areas just not safe for me, certain estates close to where I live. ”**

Young Person, Include Youth, NI

**“ Too many people are stuck in the past and the older ones pass it on to the younger ones and it goes on. It just keep them (paras) in power. ”**

Young Person, Include Youth, NI

**“ Kids are committing suicide because dissident paramilitaries are trying to get them to do stuff they don’t want to do. ”**

Young Person, Include Youth, NI

## Appendix 1: Engagement Overview

### Northern Ireland:

The thoughts, ideas and views from children and young people in Northern Ireland came from a number of sources, including NICCY's own work on [Covid](#); [Restraint and Seclusion](#); the [Review of Education](#) and [Health Waiting lists](#).

In carrying out this work and to ensure a receipt of a wide range of views, we engaged with those most vulnerable, or other organisation's staff facilitated these engagements on our behalf. A survey was also circulated for those willing to participate but unable to attend a workshop, for example, those within the Juvenile Justice system (facilitated by NIACRO (Northern Ireland Association for the Care and Resettlement of Offenders)).

Other information is drawn from contemporary reports and publications from a number of organisations including the Northern Ireland Youth Forum, Include Youth, Belfast City Council Youth Forum, Kids Life and Times Survey (2,242, Primary 7 age (10/11yr olds) children), Young Life and Times Survey (2,069, 16 year olds), Woman's Aid, Queen's University Belfast and The Executive Office.

Additionally, the Education Authority Youth Service (EAYS) also provided feedback from over twenty consultation engagements with children and young people, including six sessions throughout COVID. With an average membership of over 80 young people, NICCY's own Youth Panel has continued to advise the Commissioner.

### Scotland:

The views and opinions of the children and young people in this report come from a number of sources. Much of the information is from two partnership projects commissioned and funded by the Children and Young People's Commissioner Scotland. In order to support public authorities in Scotland the Children's Commissioner in partnership with the Children's Parliament, Together (Scottish Alliance for Children's Rights) and the Observatory of Children's Human Rights Scotland carried out a case study in East Lothian Council to develop understanding of and good practice on how children can be involved in CRIA and CRIE processes. The Children's Commissioner also supported A Place in Childhood (APiC) with the second and third phases of their #ScotYouthandCOVID: A Longitudinal Virtual Participatory Action Research Project.

Other information is drawn from work done by organisations including Aberlour, The Children's Parliament, Includem, LGBT Youth Scotland, Play Scotland, See Me Scotland, Scottish Throughcare and Aftercare Forum (Staf), Together (Scottish Alliance for Children's Rights) and Who Cares? Scotland.



The Children's Commissioner involves his own Young Advisers Groups in the work of the office including in governance, policy work, communication, and in helping inform the future strategic direction of the office.

Since being able to return to face-to-face meetings the Children's Commissioner and his team have taken the opportunity to meet with over 1100 children and young people across Scotland to include their views and opinions in this report and to inform the wider work of the office.

### **Wales:**

The views and experiences of children and young in this report were collated from a range of sources. This includes a number of reports published by the Children's Commissioner for Wales. CCfW's Coronavirus and Me report (2020) engaged with Over 23,700 children and young people aged 3-18 on the topic of the Covid-19 pandemic and its effects on children and young people. In 2021, an additional Coronavirus and Me survey engaged with 20,000 children and young people aged between 3-18. Initial findings on poverty were included from a national survey conducted by Children's Commissioner for Wales in 2022, engaging with over 7500 children and young people. Reports on the 'No Wrong Door' approach and 'Building Blocks: inclusion within the Foundation Phase' were also considered within this report.

In addition, this report reflects the views and opinions of children and young people expressed through direct engagement with the Commissioner's office. This engagement included school and community visits with diverse groups of children and young people, and young people's advisory panel sessions with 62 young people over the two year period. In addition to this, a small focus group of 6 young people was facilitated to ensure a young people's views were considered in the writing of this report.

Other information is sourced from reports and resources published by a number of organisations including Children in Wales, Carers Trust Wales, Public Health Wales, Education Policy Institute, Show Racism the Red Card, Estyn and the Welsh Government.



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