

“Are we there yet?”

Our rights, our say

A summary

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

December 2020

Children's
COMMISSIONER



Comisiynydd
Plant Cymru
Children's
Commissioner
for Wales

NICCY
PROMOTING THE RIGHTS OF
CHILDREN & YOUNG PEOPLE

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

Introduction

Every 5 years, the Children's Commissioners in Wales, Scotland, Northern Ireland and England work together to write a report to the United Nations Committee on the Rights of the Child.

It's the Committee's job to judge how well children's rights are respected across the world.

When the Commissioners write to the Committee, they tell them how well the Governments in their countries are doing in protecting children's rights.

We want the Committee to hear directly from children too – that is why we have written this Children and Young People's report.

Children's Voices

We spoke to children and young people across Wales, Scotland, Northern Ireland and England, to ask whether they get all their rights in the way they should.

There have been some good things happening in every country. For example:

- It's now illegal for parents to smack their children in Scotland and will be soon in Wales
- There are plans to improve mental health care for children and young people in England
- In Northern Ireland there is a new law to make sure different people who work for the Government work together to give children better support
- In Scotland there is a new law that says when decisions are made that affect children, the people making those decisions have to think about their rights

But still, a lot more needs to happen.

This report is about what children and young people told us should be better when it comes to protecting their rights under the United Nations Convention on the Rights of the Child (UNCRC). You can read more about the UNCRC [here](#).

Main messages from children and young people

Do children and young people know about their Rights?

Do adults take children's rights seriously?

Many young people across the UK do not know or understand what the UNCRC is.

Children should get taught about their rights from when they are young children all the way through school, and up to when they become an adult.

Young people said that decision makers should make sure they think properly about how things will affect children's rights using Children's Rights Impact Assessments (CRIAs).

“

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

”

- Young person, Wales

Are all children treated equally? Can they access their rights equally?

Children and young people told us that children in certain groups, including Black and Minority Ethnic (BAME) children, children with additional support needs and LGBTQI+ children, aren't treated fairly and don't get all of their rights.

“

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

”

- Young person, NI

Are children and young people's views properly respected?

Children are often ignored or not taken seriously.

“

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

- Young person, England

”

Throughout the UK, tens of thousands of young people took to the streets to protest the government's lack of action on the Climate Crisis. Governments need to listen and take action.

“

It's important to show everyone that we have to be listened to as it's our future and missing one hour every week is worth it. We need to stand up and let the people in charge know that the planet is worth saving for future generations and wildlife.

- Young person, Scotland

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Are children being kept safe from violence and abuse?

Governments and others need to do more to stop violence against children.

We are worried that violence against children is rising during the coronavirus pandemic.

We also know that children being physically restrained and/or being kept on their own can happen in places like mental health units, in youth offending settings, and in schools.

“

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

- Young person, England

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Are children who live in care getting their rights?

Some young people said that they felt safe and protected in care, but said that this is not true for all young people in care.

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

“

Social workers changing all the time, having to tell my story again and again.

- Young person, England

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Are young carers getting their rights?

While we are concerned young carers can't always get their rights because of their caring responsibilities, they told us they often felt more positive than negative about those responsibilities. This shows that caring can provide some with a sense of worth and resilience.

Is enough being done to help children with disabilities, children who need help with their mental health or children living in poverty?

Disability

Disabled young people felt that they were not always listened to or taken seriously. Some felt that when you had a learning disability you were even less likely to be taken seriously or listened to by adults. They said that disabled children do not get enough support and that isn't right. All children and young people, including disabled children and young people, should have an equal chance to reach their full potential.

“

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

- Young person, Scotland

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Mental Health

Mental health was one of the biggest issues young people were worried about. They wanted more support and better care. They wanted more support and better care.

“

If CAMHS had been there back then, none of us would be here.

”

- Young female on a mental health ward, England

Poverty

Children living in poverty miss out on the opportunities that other children have. Children who live in large families have been hit hardest, partly due to changes to benefits payments. More children than ever now have to use food banks to get the food they need.

“

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

”

- Young female, NI

Do all children get an equal education?

It is worrying that there are some children who don't do as well in school as other children. These include:

- looked after children
- children with social workers
- traveller children
- children from ethnic minorities
- disabled children
- children with additional needs
- children from disadvantaged backgrounds (e.g. children on free school meals).

“

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

- Young person with SEN, England

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Children told us about experiences of discrimination (being treated differently because of who you are) in school:

“

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

- Young person, Wales

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Do all children have an equal chance to take part in activities?

Children have told us how important it is for them to be able to play and take part in leisure activities. But how easy it is to take part depends on where children live, if they can get there safely, and sometimes if they have enough money.

“

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

- Young person, Wales

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Are asylum seeking, refugee and migrant children getting their rights?

Newcomer children and young people, whether that be asylum seeking, refugee or migrant children and young people, face many challenges in accessing their rights, including access to basic services.

“

I feel unaffordable [...] I don't feel like I'm a normal child, because I'm in a position where I can't be a child.

- Young female with migrant background, England

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How is Brexit affecting children and young people's rights?

Children and young people will have to live with the consequences of Brexit for longer than other age groups, but they did not get an opportunity to vote or have their say in the referendum to leave the EU.

For many young people, the decision-makers seemed very far away from understanding the reality of their lives and how decisions could have a very real impact on their lives now and far into the future.

“

EU is a protective shield for minority groups. Post Brexit could see a reversal of rights and enable discrimination.

- Young person, NI

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How has the coronavirus pandemic affected children and young people's rights?

Too often, children feel that people who make decisions don't think children's voices are important. Children and young people told us that they want to contribute to how society will move on after the pandemic, and should be able to share their ideas, concerns and solutions with decision makers.

“

Article 12, the right to be heard in decisions that affect me. That's something that young people didn't have much of assay in, the cancellation of exams.

- Young person, Scotland

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Children and young people recognised the importance of lockdown measures, but they impacted on children's rights to meet and freely gather with their friends and family, which they have told us is very important to them.

While most children and young people felt safe at home, they have had less access to help meant to keep them safe, and some children haven't been able to escape domestic violence in the home.

Children and young people are concerned about their own and others' mental health and wellbeing during this time.

Many children and young people missed school or college while they were closed, and found it hard working from home and doing school work online.

“ *My course is practical, I am meant to be learning about painting and other things you can't do online, I really struggled.* ”
- Young person, NI

Some found working from home to be a positive experience in some ways:

“ *I've learnt to read because of my ADHD and ASD I've struggled but my mum has helped me and I'm now on level 6 of Oxford owl.* ”
- Young person, Wales

Some young people felt that their right to play and leisure has been really badly affected during lockdown because they have been unable to see their friends. However, some young people said it was a positive experience for spending more time with their family, learning new skills and enjoying the outdoors in gardens and during daily exercise.

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

What will we do with everything you have told us?

This webpage is a summary of a big report we have sent to the United Nations. The United Nations' Committee on the Rights of the Child will read this report and another report by all the Commissioners of England, Northern Ireland, Scotland and Wales. They will then decide what things the UK government and devolved governments need to do about the things we and others have told them aren't good enough. The UN Committee will ask the UK government to respond to them in 2021.

Glossary

Brexit: *Brexit means that the United Kingdom is leaving the European Union*

CRIA: *Adults in power often make decisions that affect people— such as laws and policies. When they do this, they don't always think about the impact these decisions will have on children and young people. A **Children's Rights Impact Assessment**, or **CRIA**, is a way to include children and young people in a decision. It looks at the ways the decision might affect the rights of children and young people— both positively and negatively. By doing this, it means people know what the effect of the decision on children and young people is likely to be.*

LGBTQI+: *Children and young people who identify as lesbian, gay, bisexual, trans, queer, intersex or other*

Poverty: *Poverty means not having enough money for the things you need*

The United Nations: *The United Nations is an organisation of 193 countries from all around the world. One of the main jobs of the UN is to make sure we all get our human rights.*

UNCRC: *The United Nations Convention on the Rights of the Child is normally written as UNCRC. The UNCRC is a list of 54 children's rights. The list is there to make sure that all children can grow up feeling happy, healthy and safe.*



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