

Report to United Nations indicts Britain for mistreating children

By Julie Hyland
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A report by four children's commissioners representing England, Scotland, Wales and Northern Ireland paints a picture of the UK as a cruel place for many young people, who face officially sanctioned neglect as regards their social, cultural and emotional needs and punitive action for any real or perceived misdemeanour.

The report—presented to the United Nations Committee on the Rights of the Child on Wednesday, June 11—evaluates the situation facing young people in the UK against the child-specific rights and needs set out in the UN Convention of the same name, which has been ratified by all member countries except the United States and Somalia.

It followed strong criticisms of the UK in 2002 over child poverty, the over-use of the criminal justice system against children, discrimination against young asylum-seekers and the extent of violence against children, which the committee stated represented a “serious violation of the dignity of the child.”

Despite the appointment of children's commissioners in line with the UN findings, the latest report warns that the UK has fallen “well short” of meeting its requirements.

The commissioners state that many of the UN's earlier recommendations were not effectively implemented, and that “Some things have actually got worse.”

The report comes just 16 months after UNICEF found that the US and Britain were the worst countries in the major industrialised nations in which to be a child. Its survey found that the high levels of unhappiness and disaffection experienced by children in both these countries was directly related to the growth in social inequality and the “dog-eat-dog” attitude that has accompanied and legitimised it.

Sir Al Aynsley-Green, children's commissioner for England, discussing the latest findings, said, “Poverty is, in our view, the single most pernicious influence that is blighting the lives and prospects of our young people. We are one of the richest countries in the world. Yet UNICEF has found that we have some of the highest levels of poverty. Poverty underpins most of the other social issues we are concerned with.”

Despite continuous pledges by the government over the past 11 years that it would reduce child poverty, the UK continues to have one of the highest levels in Europe.

“It is unacceptable that a country as wealthy as the UK has 3.8 million children (one in three) living in relative poverty,” the report states. Nearly 1.3 million children live in severe poverty in the UK, the authors state, noting that there “is a relatively high likelihood of severe poverty among children living in London, Wales and Northern Ireland.”

The authors also found that more children than before say they are afraid to go out in their neighbourhoods. And more than ever report

drinking alcohol, coping with mental health problems and feeling pressurised at school. One in 10 children aged between 5 and 16 has been diagnosed with a mental disorder, while more than 1.3 million children are in families with alcohol problems.

In the face of such social problems, the commissioners describe a punitive juvenile justice system and failure to protect children against violence in the home, coupled with a public atmosphere in which children are “demonised.”

“Children's rights are a matter of life and death,” it says. “Since the last examination in 2002, we believe our country has moved much further away from...a culture that enjoys, respects and values children.

“While ministers, the Prime Minister included, appear comfortable using the language of rights and social justice when talking about children abroad, there is a reluctance to acknowledge that children in England have rights...and that children's rights abuses are happening in our own institutions and communities.”

The criminal age of responsibility is set at 10 in the UK (8 in Scotland), far younger than in most other European countries. While the number of crimes committed by children had fallen over the four years to 2006, the numbers criminalised had risen by one quarter.

“The system is dominated by a punitive approach and does not sufficiently distinguish between adult offenders and children who break the law,” the report states. “Too many children are being criminalised and brought into the youth justice system at an increasingly young age.” There are currently 2,837 children in custody in England and Wales, with the UK imprisoning more young people than any other country in Europe.

Over the past period, there have been demands for the age of criminal responsibility to be lowered further. Currently, those under 10 thought to have committed an offence cannot be charged, but their activity is recorded by the police. The small numbers of children involved have been blown out of all proportion by the media and the government to argue for even more draconian measures against the young. The report notes that terms such as “yobs” and “thugs” are routinely used to describe children, in newspapers and in government statements. Of all media stories about young people in 2005, 71 percent were negative and one third focussed on crime.

The “incessant portrayal” of children in these terms not only reinforces a “widely held fear of young people” by many adults in the UK, but also “influences policy and legislation.”

The report singles out as an example the use of the “Mosquito”—a device that emits a high-pitched squeal that can only be heard by the under-25s. This is in use by some shops and businesses with the specific aim of excluding young people from the vicinity.

In terms of government legislation, the report highlights the use of

“ASBOs” (Anti-Social Behaviour Orders) against young children, which it states come with “inappropriate, prohibitive and punitive conditions” that make it very difficult for a child to comply. Launched as part of the government’s major law-and-order initiatives, ASBOs place restrictions on people’s behaviour and movements, without the need for that person being charged and found guilty of a criminal offence. Children who have received ASBOs can be “named and shamed,” with their names and photographs published.

Welsh Commissioner Keith Towler said that ASBOs were a sign of the extent to which an atmosphere of intolerance had been created. The public had been led to believe that standing on streets corners was now illegal, he said. “It seems we now disapprove of normal childhood behaviour. Hanging around, kicking a ball around and chatting and laughing is normal, but people think the police should be called to deal with it. ASBOs have quickly become part of our culture, part of our everyday vocabulary and the term is used to describe children who meet up with their friends outside their home.”

Towler said that it was especially disturbing that “this hardening of attitudes towards young people has taken place in a period of economic prosperity, when people are generally more relaxed and tolerant. I really fear for what might happen in terms of attitudes following the credit crunch.”

In addition, police have been given the power to create dispersal zones where they can remove anyone aged below 16 years of age after 9 p.m. Fixed penalty, on-the-spot fines of up to £100 for graffiti, litter or “rowdy behaviour” can also be imposed against people as young as 10.

Earlier this month, the government unveiled further powers for police harassment, under the guise of combating “yobs.” Home Secretary Jacqui Smith backed a scheme whereby police will be able to photograph and video “troublemakers” in what has been described as a “Big Brother” campaign. Police officers would give those targeted “a taste of their own medicine,” Smith threatened, with “daily visits, repeated warnings and relentless filming of offenders to create an environment where there is nowhere to hide.”

This has already been piloted by police in Essex where police “identified” suspected troublemakers and then photographed and videoed them and their associates over the following days.

The report prepared for the UN makes clear that the treatment of children is no better once they are placed in the system. Punishment is now “an explicit purpose of sentencing” for ever-greater numbers of children, some 25,000 of whom were given custodial sentences in England and Wales between 2003 and 2006, it states.

It condemns the “abusive” treatment of those detained, particularly the use of physical restraint on children. Techniques that involve bending a thumb and/or a jab to the ribs or nose are officially sanctioned. “On many occasions these techniques have caused injury to children,” the report states, noting that “there is evidence that restraint and pain are being routinely used...as a response to non-compliant behaviour.”

In 2004, 14-year-old Adam Rickwood committed suicide after one of these techniques was used on him. The same year, 15-year-old Gareth Myatt was killed after three officers held him in a “seated double embrace” restraint. They are 2 of the 30 children who have died in custody since 1990, the authors report.

The UK government’s continued refusal to ban physical punishment in the home also denies equal legal protection against assault to children, the report states.

In addition, the increasing pressures now facing young people have

meant that the mental health of children in England has “deteriorated” in the last 30 years. Part of this is due to the “target-driven” system of education, in which children are subject to high levels of testing (some 70 examinations by the time they are aged 16), as well as continuing “educational inequalities.”

Children with learning and physical disabilities are particularly vulnerable, as the education system is unable to cope with those with difficulties. Disabled children are also more likely to live in poverty, with just 6 percent of families with disabled children describing themselves as “comfortably off.”

The report condemns the treatment of young refugees and asylum-seekers, many of whom are detained for months without judicial scrutiny. The lack of safe, well-staffed accommodation means that such vulnerable children have no help and support, it states, strongly objecting to government proposals to use dental x-rays to establish the age of those applying for asylum. Such a practice would be unethical and unlawful, and suggest plans to intensify the deportation of children whose family’s application for asylum has been rejected.

One final point from the report that is particularly revealing is the disclosure that police currently hold the DNA samples of up to 360,000 children. Warning of a “massive erosion” in children’s right to privacy, it reports that many schools and nurseries are also now using electronic equipment to monitor behaviour.

Just two days before the report was presented, teachers at a meeting of their EIS union—Scotland’s largest teaching union—condemned the use of police in schools, which, they argued, was increasingly being used to turn teachers into “grassers” (informers). Teachers backed a motion banning officers in schools from disciplining children or charging them with crimes.

According to the *Scotsman*, 45 police officers are stationed at schools across Scotland, 36 of these in the Strathclyde region alone, which covers Glasgow.

Helen Connor, EIS vice president, told the conference that when she had asked one local authority why police were being drafted into schools, “the answer they gave was that communities around these schools had particular difficulties with the 15-17-year age group:

“Why then, I ask, were the police officers put into the schools and not extra officers put into the community? They were looking for intelligence gathering, they wanted staff in school to tell them about what the young people were doing. That’s not why I came into teaching. I did not think I would ever see, in Scotland, police officers in schools.”

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