



Children's Rights Bulletin

For children and young people

Issue 34
March 2009

Welcome to issue 34 of CRAE's children's rights bulletin, where you can find out more about CRAE's messages to journalists about children's human rights. This month, you can also watch all the action from CRAE's annual conference in 2008 by visiting http://www.getreadyforchange.org.uk/gallery/whos_afraid_of_childrens_rights2/

If you have any comments, suggestions or feedback on the bulletin, please contact Carla Garnelas, senior policy and change officer at cgarnelas@crae.org.uk or call 020 7278 8222 ext. 25.

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CRAE writes to Ed Balls

CRAE has written to Ed Balls, the Secretary of State for Children, Schools and Families with a **children's rights impact statement** of the *Children's Plan* progress report. We have asked him to mark the 20th anniversary of the UNCRC by promising to do as much as possible for children's rights.

CRAE wants the Government to check all its laws and policies to make sure they don't ignore children's human rights. Until this happens, CRAE will aim to write children's rights impact statements about major new laws and policies that affect children.

Download CRAE's children's rights impact statement: <http://www.crae.org.uk/pdfs/CRIS%20Childrens%20Plan%202009.pdf>

Children's rights impact statements are a way of looking at Government decisions, policies or laws to try to find out what effect they will have on children and their rights.

Take action on children's rights... get creative for the anniversary!

This year is the 20th anniversary of the UN Convention on the Rights of the Child (UNCRC) and is a great opportunity for us all to make everyone aware of children's rights. CRAE would love to hear your ideas about how we can celebrate. E-mail your suggestions to Mike Lindsay, CRAE's national co-ordinator, at mlindsay@crae.org.uk, and let's make this a year to remember for children's rights!



News

CRAE submits to JCHR inquiry on children's rights

In February, CRAE sent information to the Joint Committee on Human Rights (JCHR) inquiry into children's rights. Here are some of the things that we said have to happen:

- There need to be changes to the way children in trouble with the law and refugee and asylum seeking children are treated
- The Government should give children legal protection from unfair age discrimination
- The Government should change the law to make sure children get equal protection from violence to adults
- The age for joining the armed forces should be increased to 18.

We want the JCHR to ask the Government to set out in full how it is going to put the concluding observations from the UN Committee on the Rights of the Child into practice.

For a copy of CRAE's submission, contact Sam Dimmock, head of policy and public affairs, at sdimmock@crae.org.uk.

The **Joint Committee on Human Rights** is a Committee within Parliament made up of MPs and Peers that considers human rights issues in the United Kingdom.

Another perspective: CRAE launches its media guidelines

CRAE has published a guide to help journalists promote children's human rights. We hope the report will help to make sure children's experiences are properly represented in the media. CRAE also hopes that the document will encourage newspapers to print more positive stories about children's human rights.

Download *Another perspective*: <http://www.crae.org.uk/pdfs/Another%20Perspective.pdf>

Another perspective

How journalists can
promote children's
human rights and
equality

News

Get ready for change! in 2009

CRAE's young campaigners have set up three campaigns to address children's rights issues that they found matter to children in England.

The campaigns are:



Report right - encouraging fair reporting about children in the media by taking action on "naming and shaming"

Education: every child's right - research with young refugees and asylum seekers to find out what is stopping them from having the best possible education.

Keeping secrets safe: confidential counselling - carrying out research to improve how children understand confidentiality and to find out how good school counseling.

Members of CRAE's children's rights champions' network are also going to be taking action locally on these issues. Find out more at

www.getreadyforchange.org.uk/campaigns

Naming and shaming

"Naming and shaming" means that personal information about a child or young person can be made public. This information can include:

- Name
- Address
- Map of where the child or young person cannot go
- The things the child or young person is not allowed to do.

Confidentiality means that the information you share with a person or an organisation will be kept private, unless you give permission for it to be shared or it is made clear to you before you start that it will not be private.

There are certain cases when confidentiality may be broken, for example if you are in serious danger of being hurt and abused.

Tasers fired at children 28 times in 20 months

Figures revealed in a Parliamentary Question put forward by CRAE show that police in England and Wales fired **Tasers** at children 28 times between January 2007 and August 2008. In addition, 83 more children were very nearby when a Taser was used.

The news follows the start of an investigation in Canada after the death of a man who was fired at with a Taser.

See the full answer to the Parliamentary Question: <http://www.publications.parliament.uk/pa/cm200809/cmhansrd/cm090223/text/90223w0041.htm#0902249003600>

A **Parliamentary Question (PQ)** is a written request for information from the Government. Only MPs and Peers (people who work in the House of Lords) can ask PQs. An organisation or individual can ask an MP or Peer to put forward a PQ for them.

Taser is another name for a **stun gun**. It is an electronic weapon that uses a high electrical current to stop a person moving.

News

Child Health Strategy published

On 12 February, the Child Health Strategy was launched by the Department for Children, Schools and Families and the Department of Health. The document sets out the Government's plans for the future of children's health and well being. CRAE will be looking at the strategy to see how it compares with the UNCRC and the concluding observations from the UN Committee on the Rights of the Child.

Download the Child Health Strategy: http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_094400

Government sets direction for early years and childcare

The Government has published plans for early learning and child care. CRAE is pleased that the Government is concentrating on supporting very young children and their families. We welcome plans to give parents of under-16s the

right to ask for **flexible working**. We are also pleased that local councils will have to put together action plans to make sure that local child care reflects the needs of children and families. We want the Government to make sure that children can take part in developing these action plans.

Flexible working is where working hours fit around a person's needs (such as caring for a child or sick relative). Examples of flexible working are part-time work, sharing a job with another person or working from home.

Download the strategy: <http://publications.everychildmatters.gov.uk/eOrderingDownload/00173-2009DOM-EN.pdf>

New inspections strengthen children's right to be heard

Ofsted inspections of children's services will now include looking at how well services collect and take action on the views of children and young people. Inspectors will be expected to speak directly with children and young people when carrying out a full inspection of local services to keep children safe, and when inspecting services for children in care.

ContactPoint launched

The **ContactPoint** database is now running. From January, two members of staff in all local councils in England have been able to use the database. They are now training other staff how to use the system. The database has cost £224 million to set up and will cost £41 million each year.

CRAE has raised lots of concerns about ContactPoint and is particularly worried about the effect it will have on the privacy rights of children.

ContactPoint is a national database that holds information about every child in England aged 17 and under. This information includes each child's name, address, date of birth, parents/carers, and details of some services each child uses.

Legal cases

Northern Ireland Children's Commissioner loses smacking appeal

Northern Ireland's Children's Commissioner, Patricia Lewsley, tried to take a case to court to argue that the law allowing smacking breaks children's rights under article 3 (ban on torture), article 8 (right to respect for private and family life) and article 14 (ban on discrimination) of the European Convention of Human Rights.

The Court said that the case was not allowed because the Commissioner could not be classed as a "victim" under the Human Rights Act and therefore could not take a case to court.



Patricia Lewsley,
Northern Ireland's
Children's
Commissioner

Congolese family awarded Home Office settlement for unlawful detention

A family of refugees has won £150,000 compensation after the Home Office said that they should not have been locked up.

The family - including two daughters aged 8 and 1 - were woken in the early hours at their home in Dudley in June 2006 and taken to Yarl's Wood **immigration removal centre**, where they were held for 57 days. After their release, the same thing happened again a few months later. The family's lawyer said that the Home Office had not thought about how this would affect the children.

Immigration removal centres

Places where people waiting for the Government to decide if they can remain in this country are forced to stay. People who are going to be forced to leave the country are also held in removal centres. Immigration removal centres are a lot like prisons.

Follow this link to see some pictures of immigration removal centres on the *Guardian* website: <http://www.guardian.co.uk/society/gallery/2008/nov/07/border-country-immigration-removal-centres?picture=339041864>

Local authority dispute leads to ruling on Children Act

A fifteen year-old boy arrived in the UK from Pakistan in April 2008 and claimed asylum in Liverpool. His age was disputed and he was locked up. He was later released and sent to Hillingdon (in London).

He told social workers he wanted to go back to Liverpool and was returned there without social workers checking that he was being properly looked after. Liverpool Council said that Hillingdon Council should have checked how the boy was, and, if appropriate, looked after him under **Section 20** of the Children Act 1989.

The Court of Appeal said that even though it was important to take into account the wishes and feelings of the child, this was not the only important part of making a decision about keeping a child safe. The Court said that Hillingdon Council had not followed the Section 20 rules properly.

Section 20 of the Children Act 1989 places a duty on a local council to 'look after' a child in need. The duty involves asking a child about where he or she will be live, keeping brothers and sisters together if they have to go into care, and a general duty to make sure the child is safe and well.

An **age dispute** is where there is disagreement about whether a person is under or over 18 years-old.

Unpublished photo breaks child's privacy rights

The European Court of Human Rights has ruled that a hospital photographer broke the human rights of a newborn baby (the right to privacy) by taking a photograph of the child without the parent's permission, even though the photograph was never published. The hospital refused to give the negatives of the photograph to the child's parents and the Greek courts would not hear the case. The Court said that private life includes the right to identity, including the protection of a person's image.





Apprenticeships, Skills, Children and Learning Bill

CRAE is lobbying on lots of issues on this Bill, including the use of force by teachers and giving teachers new powers to search students in schools.

Through Participation Works, CRAE is also working to make sure that the right of children to be heard is part of how local **Children and Young People's Plans** are developed. It should also be part of the new school complaints systems for students and parents.

Every local council must have a **Children and Young People's Plan** to make sure children and young people get the best help and opportunities, and that different parts of the council are working together to improve children's lives. Children and young people must be involved in developing the plan.

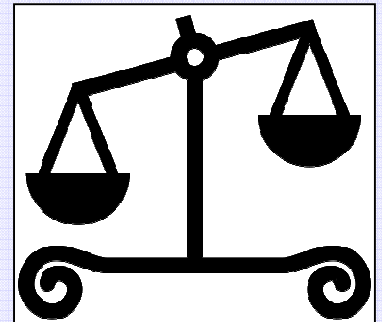
Borders, Citizenship and Immigration Bill

CRAE is a member of the Refugee Children's Consortium (a group of charities campaigning for refugee children's rights) and will be supporting its work on this Bill.

We want to make sure that the Bill will make immigration staff responsible for keeping children safe from harm and promote their welfare. We would like the Government to stop locking up asylum-seeking children.

Coroners and Justice Bill

CRAE is working with the Standing Committee on Youth Justice (a group of organisations campaigning to improve the youth justice system) on this Bill. We are looking at whether it is possible to give anonymity to people who help the police with investigations into deaths caused by guns and knives.



We are very pleased that the Government is going to remove a section of the Bill that would have allowed information about a person to be shared without their consent if a Minister gave permission.

Policing and Crime Bill

CRAE is working with the Standing Committee on Youth Justice (on this Bill). We want to make sure that plans for police councils to take account of the views of the public do not have a negative effect on children and young people. We are not sure that giving police extra powers to take away alcohol from young people is the best way to deal with young people drinking in public. We also want the Government to make sure that under-18s are not prosecuted for offences connected with prostitution.

Local Democracy, Economic Development and Construction Bill

This Bill will place a new duty on local councils to "promote democracy" and to respond to petitions from citizens. CRAE supports these plans and are pleased that children will be able to start and sign petitions.

If you would like to find out more about CRAE's work in Parliament, please contact our Parliamentary Adviser, Catherine Billingham at cbillingham@crae.org.uk

Consultations

Young People and Alcohol Guidance

Closing date: Thursday 23 April 2009

The Government has launched a consultation on alcohol guidance, advice and information for parents, children and young people. It wants to hear the views of children, parents, carers and from organisations and professionals that work with young people in health, children's services and education.

Respond to the consultation here: <http://www.dcsf.gov.uk/consultations/index.cfm?action=Respond&consultationId=1579&menu=1>

Early Day Motions

The full list of Early Day Motions can be found at:
<http://edmi.parliament.uk/EDMi/Default.aspx>.

Please ask your MP to sign the following Early Day Motion:

EDM 310 – European Court of Human Rights Judgment and the national DNA database
Keith Vaz MP

That this House welcomes the verdict of the European Court of Human Rights in the case of S [&] Marper; believes that the DNA of innocent people should not be retained in the National Database; notes that 2.3 million offenders do not have their DNA details on the database whereas around 730,000 innocent people do; further notes that Britain has the largest database of this kind in the world with the details of an estimated one in six of the adult population on it by 2012; and calls on the Home Secretary to respond by instructing local police authorities to destroy the DNA they hold where the person has not been convicted of an offence, including hundreds of thousands of innocent individuals.

<http://edmi.parliament.uk/EDMi/EDMDetails.aspx?EDMID=37319&SESSION=899>

What is an Early Day Motion (EDM)? An EDM is a motion tabled (made) by MPs calling for a debate on a particular subject. EDMs are rarely debated but they are a good way for raising awareness about an issue and getting more support. MPs can show their support for an EDM by signing up to it (like a petition). You can write to your MP and ask them to sign up to any EDM.

Publications and events

Future rules: Children's views on regulations under the Children and Young Persons Act 2008

A new report by the Children's Rights Director sets out what children and young people in care think new rules for social services under the Children and Young Persons Act 2008 should look like. Children and young people said they should have a say in decisions about whether they should be taken away from their parents, and social workers should visit children living away from home at least once a month.

Download the report: <http://www.rights4me.org/reportView.cfm?id=313>

Protecting the virtual child

This publication from Action on Rights for Children is based on research with specialist lawyers and local councils, and looks at how old children and young people have to be to be able to consent to the sharing of their personal data. It finds that there is no basis in law for saying that, generally, most 12 year-olds will be mature enough to agree to their data being kept or shared. The report also raises concerns about staff training and how local councils keep personal information safe.

Download the report: [http://www.archrights.org.uk/docs/NYA\(4\)arch_16.2.0%5B2%5D.pdf](http://www.archrights.org.uk/docs/NYA(4)arch_16.2.0%5B2%5D.pdf)

UNICEF Junior 8 Summit competition

UNICEF UK is running a competition to pick a team of 4 young people (aged 14 to 17) to represent the UK at the J8 Summit in 2009. Teams from schools or youth groups can send in entries about issues including the environment and climate change, HIV, and one other issue they feel is really important to children's lives. The closing date for the competition is **8 April 2009**. To find out more, visit <http://www.unicef.org.uk/youthvoice/j8>.

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