

Written input to the combined sixth and seventh periodic reports submitted by the United Kingdom of Great Britain and Northern Ireland

Submitted by Child Rights International Network (CRIN)

1 December 2022

Executive Summary

Introduction

1. This submission addresses two issues:
 - a. The enlistment of children by the UK armed forces; and
 - b. The impact of the UK's counter-terrorism policies on the rights of children, with a focus on the Prevent Strategy and the UK's approach to children detained in North East Syria.

Armed Forces recruitment

2. Context. Contrary to the Committee's recommendations, the UK continues to enlist children from age 16 into the armed forces, and has increased its dependence on child recruits since its last review by the Committee. In 2021/22, the British armed forces recruited **2,800 children** aged 16 and 17; under-18s made up **23%** of the total intake, **the highest proportion since 2010/11**. Recruits in the age group tend to come from deprived backgrounds and to be recruited for basic combat jobs in the infantry.
3. Abuse of children in armed forces training.
 - a. Sexual abuse. Girls aged under 18 in the armed forces face substantially elevated risks of sexual abuse, relative to both same-age civilians and adult female personnel.
 - i. In 2021, **one in every eight girls** in the forces were victims of a sexual offence; a rate **ten times higher** than that for adult female personnel.
 - ii. In recent years girls in the armed forces have been **twice as likely** as civilian girls of the same age to report a rape or sexual assault to the police.
 - b. Physical and psychological abuse. The army training base for recruits aged 16-17 ½ years has a long record of abuse of children by its staff, continuing to the present. Former recruits and their parents also testify to the prevalence of psychological abuse. Girls are particularly vulnerable to harassment and bullying.
4. Mental health impact. Military training applies intense stress to the minds of child recruits, who are particularly susceptible to its effects, leading to an adverse impact on their health.
 - a. Recent research shows that child recruits enlisted in approximately the last two decades have experienced worse mental health outcomes than both same-age civilians from similar social backgrounds and adult recruits.
 - b. The army's own research has found that training leads to an **'erosion of resilience'** in recruits, with a particularly marked impact on girls.

- c. **56%** of suicides in the infantry over the last two decades have been of soldiers who joined under age 18.
5. Binding terms of service, inadequate safeguards.
- a. Child recruits do not enjoy the right to leave the armed forces at will. They have **no right at all to leave in the first six weeks** of training (the most intense period), and their right of discharge is subject to a notice period of two weeks to three months thereafter.
 - b. Contrary to the Committee's recommendations, army recruits aged under 18 can still be made to serve a minimum period up to two years longer than adult recruits.
 - c. A child's enlistment does not require the consent of both parents when parents are living apart.
6. Conclusion. Enlistment of children is unambiguously incompatible with their rights, including to be safeguarded from harm (Art. 19), to the highest attainable standard of health (Art. 24) and to have their best interests taken as a primary consideration (Art. 3).
7. Suggested recommendations. *We suggest that the Committee recommends the UK to:*
- a. *Raise the minimum age for armed forces enlistment to 18 years;*
 - b. *So long as it persists in recruiting children under the age of 18:*
 - i. *Ensure that army recruits who enlist under the age of 18 cannot be made to serve a longer minimum period than those who enlist as adults;*
 - ii. *Ensure that recruits under the age of 18 have the unrestricted right to leave the armed forces at will, with no notice period; and*
 - iii. *Ensure that enlistment of children under the age of 18 is always contingent on the written consent of all persons with parental responsibility.*

The Prevent Strategy

8. Context. In England and Wales, approximately **3,000 children have been referred to Prevent every year** since the introduction of the 'Prevent duty' in 2015, including **hundreds under the age of 10**. Children account for **nearly half** of all referrals despite making up only a fifth of the population. **Less than one in ten** children are escalated to the next stage, suggesting their referrals were not based on a genuine risk to the child or to others.
9. Child rights concerns with Prevent.

- a. Concerns remain that Prevent violates children's right to non-discrimination, particularly Muslim children, children of Asian ethnicity, and children with mental health problems or developmental disorders.
- b. In monitoring children's legal thought and behaviour, Prevent infringes on their right to privacy and to freedom of thought, expression, religion and assembly.
- c. Prevent puts policing and intelligence-gathering priorities above children's welfare, infringing their Art. 3 rights. For example, it draws them into contact with the police and criminal justice system when they are not suspected of any offence.
- d. There is no evidence that Prevent is effective in preventing the recruitment of children by non-state armed groups, and may even be counter to this aim.

10. Independent Scrutiny.

- a. Contrary to the Committee's recommendations, the Government has not yet carried out an independent review of the policy. An 'Independent Review' has been commissioned but has missed its original deadline by **more than two years** and has been boycotted by many civil society groups.
- b. The Government has refused to publish data on the ethnicity and religion of children referred to Prevent, precluding scrutiny of whether it has discriminatory impact.

11. **Suggested recommendations. We suggest that the Committee recommends the UK to:**

- a. Repeal the Prevent duty and Channel programme, and ensure that policy on preventing the recruitment and use of children by non-state armed groups takes their best interests as a primary consideration.***
- b. Ensure that statistics regarding the application of all of counter-terrorism policies to children, including ethnicity and religion data, are routinely published and that evaluations of said policies and their methods are placed in the public domain to ensure effective oversight.***

Children detained in North East Syria

12. An estimated 34 British children remain in camps in North East Syria and almost half of Britons detained in these camps were children when they entered Syria. The conditions in these camps constitute torture or other cruel, inhuman or degrading treatment or punishment. The UK continues to permit and defend the use of deprivation of citizenship as a measure imposed on people who were recruited by armed groups as children.

13. **Suggested recommendations. We suggest that the Committee recommends the UK to:**

- a. Take urgent measures to effect the repatriation of British children held in camps in North East Syria;***

- b. Support the reintegration and resettlement of each repatriated or resettled child;***
- c. Take measures to mitigate the risks and harms to children held in camps in North East Syria while pursuing their repatriation and resettlement;***
- d. Ensure no child is deprived of their nationality, regardless of whether they have been recruited by an armed group.***

Armed forces recruitment

14. Background

- a. Following extensive ratification globally of the Optional Protocol on the involvement of children in armed conflict since 2002, approximately three-quarters of states worldwide now allow only adults aged 18 and above to be recruited into state armed forces.
- b. The General Comment on the implementation of the rights of the child during adolescence records the Committee’s “deep concern” that adolescent children continue to be recruited into state armed forces and specifies that the minimum age for entry should be 18.¹
- c. In response to State Parties that continue to allow the military recruitment of children, the general practice of the Committee has been to include in its Concluding Observations a recommendation that the minimum age for entry into the armed forces be 18.

15. Country situation.

- a. Contrary to the Committee’s recommendations,² the UK continues to enlist children from age 16 into the armed forces. Since the UK’s last review by the Committee in 2016, the proportion of the armed forces’ intake aged under 18 has increased. In 2021/22, the British armed forces recruited **2,800 children** aged 16 and 17; under-18s made up **23%** of the total intake, **the highest proportion since 2010/11**. In the British army specifically, **30%** of new recruits in the last year were under 18, with **more soldiers recruited at 16 than at any other age**.³

¹ Committee on the Rights of the Child, *General comment No. 20 (2016) on the implementation of the rights of the child during adolescence* (CRC/C/GC/20), 2016, paras. 40, 81.

² Committee on the Rights of the Child, *Concluding observations on the fifth periodic report of the United Kingdom of Great Britain and Northern Ireland* (CRC/C/GBR/CO/5), 2016, para. 84.

³ Ministry of Defence, *UK armed forces biannual diversity statistics, 2022*, <https://www.gov.uk/government/statistics/uk-armed-forces-biannual-diversity-statistics-april-2022>.

- b. Recruits aged under 18 tend to come from deprived areas,⁴ and are recruited disproportionately for infantry roles,⁵ those with the most stressful training and the highest combat exposure.
 - c. The UK maintains the wide scope of its interpretative declaration on Article 1 of the Optional Protocol which may permit the deployment of children to areas of hostilities and their involvement in hostilities under certain circumstances, including when 'military need' and 'operational effectiveness' require it.⁶
16. Abuse of children in armed forces training, Evidence shows that children face unacceptable risks of abuse and other maltreatment in training, and that the safeguarding policies the Government outlines in its report to the Committee⁷ are ineffective at preventing this harm.
- a. Since the Committee published its List of Issues, more evidence has emerged that child recruits - particularly girls - face substantially elevated risks of sexual abuse.
 - i. In 2021, **one in every eight girls** in the armed forces were victims of a sexual offence, according to Ministry of Defence records of police investigations. Girls were **ten times as likely** as adult female personnel to be the victim of a sexual offence.⁸

⁴ Army marketing is targeted specifically at neighbourhoods where households earn less than £10,000 per year. H Agerholm, 'British Army targets recruitment of young working class, military document reveals', *Independent*, 10 July 2017. The army recognises that 'the majority of the current JE cohort' have a 'tendency to live in poorer areas'. British army, 'Junior Entry Review – Final Report', 2019, p. 2, <https://tinyurl.com/rg33o8t>. Over a five-year period from 2013 to 2018 in England, the rate of recruitment of 16- and 17-year-olds into the British army was 57% higher in the most deprived fifth of constituencies than the least deprived fifth. C Cooper and D Gee, 'Youngest British army recruits come disproportionately from England's most deprived constituencies', 2019, <https://tinyurl.com/yx8osqhz>.

⁵ According to the MoD, Junior Entry recruitment (aged 16-17.5 years) 'presents an opportunity to mitigate Standard Entry (SE) shortfalls, particularly for the Infantry'. MoD, *Policy on recruiting Under-18s (U18)*, 2013, p. 2, <https://tinyurl.com/wzos8xw>. Between 2016-17 and 2020-21 inclusive, 38% of army recruits aged under 18 were enlisted for infantry roles, versus 30% of adult recruits. MoD, *UK armed forces biannual diversity statistics*, 2021, op cit.; Information obtained under the Freedom of Information Act, ref. FOI2021/10665, 22 September 2021, https://www.whatdotheyknow.com/request/infantry_enlistment#incoming-1881507.

⁶ United Kingdom of Great Britain and Northern Ireland, *Declaration made upon signature of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict*, 2000, https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-11-b&chapter=4&clang=en.

⁷ *Combined sixth and seventh periodic reports submitted by the United Kingdom of Great Britain and Northern Ireland under article 44 of the Convention (CRC/C/GBR/6-7)*, 2022, paras. 315-317.

⁸ In 2021, 37 girls were victims in sexual offence cases opened by the Service Police, out of a total population of 290 girls serving in the armed forces; a rate of 12.8%. In the same year, 202 adult female personnel were victims of sexual offence cases, out of a population of 16,180; a rate of 1.2%. MoD, Ministerial answer to Parliamentary Question no. 154396, 26 April 2022, <https://questionsstatements.parliament.uk/written-questions/detail/2022-04-14/154396>; MoD, *Sexual Offences in the Service Justice System 2021 Annual Statistics [Worksheet 3]*, 2022, <https://www.gov.uk/government/statistics/murder-manslaughter-and-sexual-offences-in-the-service-justice-system-2021>.

- ii. Between 2015 and 2020, girls in the armed forces were **twice as likely** as civilian girls of the same age to report a rape or sexual assault to the police.⁹
 - iii. In 2021 alone, military police investigated **sexual offences against 22 recruits** at the Army Foundation College (AFC); the army's dedicated training base for recruits aged 16 to 17 ½ years. At least 12 of the victims were girls. In one investigation, **the suspects were three members of staff**.¹⁰ In 2022, one instructor at AFC was reportedly charged with five offences of sexual assault against 16-year-old girls there.¹¹
- b. There is also growing evidence that child recruits are subject to physical and psychological abuse in armed forces training, particularly at AFC.
- i. Between 2014 and 2020, the army recorded **62 formal complaints of violence perpetrated** against recruits by AFC staff, including assault and battery. 13 cases were proven, of which **7 occurred since 2017**. Some perpetrators continued to work at AFC following a finding of wrongdoing.¹²
 - ii. Former child recruits and their parents have told CRIN of the routine maltreatment of children at AFC.¹³ Among the allegations are that child recruits were physically assaulted and emotionally/psychologically abused by instructors, that staff encouraged recruits to fight each other, and that children's requests to leave were intentionally obstructed by staff. The

⁹ Between 2015 and 2020 inclusive, the armed forces' service police recorded 31 rapes and sexual assaults against girls aged 16–17, representing an average rate of 2.5% in the age group. Information obtained under the Freedom of Information Act, ref. FOI2021/09403, 21 September 2021; MoD, *UK armed forces biannual diversity statistics*, 2021, op. cit. In 2019–20, police in England and Wales recorded 101,478 sexual offences (assault or rape) committed against women and girls, of which 7.3% (7,408) affected girls aged 16–17, representing a rate of 1.2% (7,408 offences / 618,095 population aged 16–17 in 2019). ONS, 'Dataset: Sexual offences prevalence and victim characteristics, England and Wales (2019-20)', 2020, <https://tinyurl.com/ons-sexual-offences-2019-20>; ONS, 'Population estimates for the UK, England and Wales, Scotland and Northern Ireland: mid-2020' (Figure 8, 2019, England and Wales only), 2020, <https://tinyurl.com/ons-pop-2019>.

¹⁰ Ministry of Defence, Ministerial answer to Parliamentary Question no. 154397, 26 April 2022, <https://questions-statements.parliament.uk/written-questions/detail/2022-04-14/154397>; Ministry of Defence, Ministerial answer to Parliamentary Question no. 2317, 19 May 2022, <https://questions-statements.parliament.uk/written-questions/detail/2022-05-16/2317>.

¹¹ Marc Nicol and Richard Eden, 'Sex abuse claims hit Army college for teenage recruits as instructor is charged with more than 20 offences including five allegations of sexual assault against 16-year-old girls', *Mail on Sunday*, 23 October 2022, <https://www.dailymail.co.uk/news/article-11346043/Sex-abuse-claims-hit-Army-college-teenage-recruits.html>.

¹² Information obtained under the Freedom of Information Act, ref. Army/Sec/C/U/FOI2021/13445, 30 November 2021, https://www.whatdotheyknow.com/request/alleged_abuse_at_army_foundation; Ministerial answer to Parliamentary Question no. 109376, 4 November 2020, <https://questions-statements.parliament.uk/written-questions/detail/2020-10-30/109376>; Information obtained under the Freedom of Information Act, ref. Army/Sec/C/U/FOI2021/15645, 11 January 2022, https://www.whatdotheyknow.com/request/abuse_at_army_foundation_college.

¹³ CRIN, 'Testimonies: abuse of children in armed forces training', 2022, <http://home.crin.org/issues/military-enlistment/testimonies>.

individuals also testify to the traumatic effects of this treatment; for example, three of the four recruits concerned had contemplated or attempted taking their own lives, and one of them died from the attempt.¹⁴

- iii. A 2020 survey carried out by the army found that **nearly half (48%)** of girls training at AFC had experienced bullying, harassment or discrimination, and **70%** would not report such behaviour. An army initiative aimed at improving girls' experience of training ('Project Athena') failed to reduce the prevalence of bullying, harassment and discrimination.¹⁵
 - iv. Despite being made aware of these alleged and proven incidents,¹⁶ the regulatory body with responsibility for monitoring welfare and duty of care in armed forces training (Ofsted) renewed AFC's 'Outstanding' grade for welfare in 2021, and did not mention the record of abuse in its inspection report.¹⁷
- c. When child recruits do suffer abuse, this is compounded by other aggravating factors of the military environment:
- i. The restricted right to leave the armed forces, meaning they cannot easily remove themselves from risk (see below, para. 18.d.);
 - ii. No right to leave the base¹⁸ and tight restrictions on communication with friends and family, especially in the first six weeks of training (the most intense period),¹⁹ meaning they have limited access to support; and
 - iii. The weak avenues for redress in the armed forces. Both avenues for redress outside of the chain of command - the Service Justice System and Service Complaints System - have been widely criticised for long delays, failures of process and of outcome, and low confidence in the system.²⁰

¹⁴ *Ibid.*

¹⁵ Army Foundation College Harrogate, *Project Athena: A pilot training to optimise basic training for female junior soldiers*, 2022, p. 5, <https://home.crin.org/s/Pj-ATHENA-Report.pdf>.

¹⁶ See e.g. CRIN, Letter to Ofsted, 18 November 2021, <https://home.crin.org/s/CRINLettertoOfsted18Nov2021-merged.pdf>

¹⁷ Ofsted, *Welfare and duty of care in Armed Forces initial training 2020 to 2021*, 2022, <https://www.gov.uk/government/publications/welfare-and-duty-of-care-in-armed-forces-initial-training/welfare-and-duty-of-care-in-armed-forces-initial-training-2020-to-2021>.

¹⁸ '[Junior Soldiers] are not permitted to walk out until after week 6'. British army, 'Army Foundation College Supervisory Care Directive', 2014, para. 78. Information obtained under the Freedom of Information Act and held on record.

¹⁹ During the first six weeks, recruits are allowed 'controlled access' to their mobile phones for a 40–60 minute period between 8pm and 10pm; the rest of the time it is kept in a sergeant's office. They are also 'not permitted to walk out until after week 6'. British army, 'Army Foundation College (AFC) First 6 Week (F6W) Training Directive', 2016, para. 37. Information obtained under the Freedom of Information Act, ref. FOI2019/05572, 10 June 2019.

²⁰ See e.g. Defence Committee, *Women in the Armed Forces from Recruitment to Civilian Life: Second Report of Session 2021–22*, 2021, pp. 45–69 <https://committees.parliament.uk/publications/6959/documents/72771/default/>; MoD, *Report on*

17. Health risks of early enlistment.

- a. Armed forces training - particularly during the first six weeks, which the army describes as “intense”²¹ - subjects recruits’ minds and bodies to conditions of sustained stress in order to induce conformity, such as repeated physical exhaustion, the restriction of sleep and privacy, and punishment such as humiliation.²²
- b. Adolescent children are more vulnerable than adults to the effects of these stressors, particularly if they have experienced childhood trauma²³ (which is more common among young people from socioeconomically deprived backgrounds; the armed forces’ main recruitment demographic). For this group, conditions of sustained stress can aggravate mental health problems, including PTSD, as well as increase the risk of developing them later.²⁴ Bone density is also underdeveloped during adolescence, bringing additional risks of musculoskeletal injury under physical strain.²⁵
- c. Research confirms that military enlistment and training - even without deployment - has an adverse impact on children’s physical and mental health:
 - i. The army’s own research, published in 2022, found that AFC training led to an “**erosion of resilience**” for recruits and left them with difficulties managing emotions and reduced self-efficacy, with **no identifiable benefits**

Inappropriate Behaviours, 2019, p. 13,

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/817838/20190607_Defence_Report_Inappropriate_Behaviours_Final_ZKL.pdf; Professor Sir Jon Murphy, *Service Justice System Policing Review (Part 1)*, 2018, pp.42-44, <https://www.gov.uk/government/publications/service-justice-system-review>.

²¹ British army, ‘Army Foundation College Commanding Officer’s Supervisory Care and Safeguarding Directive Risk Assessment’, 2018, point 2.1. Information obtained under the Freedom of Information Act, ref. FOI2019/05572, 10 June 2019.

²² See e.g. Child Rights International Network, ‘Armed Forces Recruitment and Convention 182’, 2019, <https://home.crin.org/s/TUC-Annex-3-Convention-182.pdf>.

²³ M M Kishiyama, W T Boyce, A M Jimenez et al., ‘Socioeconomic disparities affect prefrontal function in children’, *Journal of Cognitive Neuroscience*, 2009, 21(6), pp. 1106–1115, <https://pubmed.ncbi.nlm.nih.gov/18752394/>; D Hackman & M J Farah, ‘Socioeconomic status and the developing brain’, *Trends in Cognitive Sciences*, 2009, 13(2), pp. 65–73, <https://pubmed.ncbi.nlm.nih.gov/19135405/>; K Campbell, ‘The neurobiology of childhood trauma, from early physical pain onwards: as relevant as ever in today’s fractured world’, *European Journal of Psychotraumatology*, 2022a, 13(2), <https://www.tandfonline.com/doi/full/10.1080/20008066.2022.2131969>.

²⁴ L P Spear, ‘The adolescent brain and age-related behavioral manifestations’, *Neuroscience and Behavioral Reviews*, 2000, 24(4), pp. 417–463, <https://pubmed.ncbi.nlm.nih.gov/10817843/>; T Paus, M Keshavan, & J Giedd, ‘Why do many psychiatric disorders emerge during adolescence?’, *Nat Rev Neurosci*, 2008, 9, pp. 947–957, <https://doi.org/10.1038/nrn2513>; K D Baker, M L Den, B M Graham, & R Richardson, ‘A window of vulnerability: impaired fear extinction in adolescence’, *Neurobiol Learn Mem*, 2014, 113, pp. 90–100, <https://pubmed.ncbi.nlm.nih.gov/24513634/>; K Campbell, ‘Childhood trauma: a major risk factor in the military recruitment of young people’, *BMJ Military Health*, 2022b, <https://militaryhealth.bmj.com/content/jramc/early/2022/05/31/bmjilitary-2022-002149.full.pdf>.

²⁵ C Milgrom C, A Finestone, N Shlamkovitch, et al., ‘Youth is a risk factor for stress fracture. A study of 783 infantry recruits’, *J Bone Joint Surg Br*, 1994, 76(1), pp. 20–22, <https://pubmed.ncbi.nlm.nih.gov/8300674/>.

to health or agency. The impact on girls was particularly marked. Physical injuries are also very common at AFC, particularly among girls, of whom a third (34%) suffered a musculoskeletal injury in 2021–22.²⁶

- ii. Two recent studies investigated long-term mental health outcomes of child recruits across the armed forces. One study found that child recruits enlisted in approximately the last 25 years have had **between two and three times the odds of long-term PTSD** compared to same-age civilians from similar social backgrounds.²⁷ The other study found that since 2003, veterans who had been recruited aged 16–17½ have had “**twice the odds of alcohol misuse and twice the odds of reporting episodes of lifetime self-harm**” as those recruited at older ages.²⁸
- iii. Over half (**56%**) of suicides in the infantry over the last two decades were of individuals who had joined up aged 16 or 17.²⁹ Overall, serving army personnel aged under 20 have been **31% more likely** than same-age civilians to end their lives.³⁰ A study published in 2009 found that veterans under 20 were **between two and three times as likely** as their civilian peers to end their lives, and that **those who had joined and left at age 16 had the most elevated suicide risk** of any veteran age group.³¹

18. Binding terms of service, inadequate safeguards.

- a. The military enlistment contract suspends several of children’s fundamental rights, including the right to free speech, the right of union representation, the right to choose one’s work, and the right of minors to be tried for alleged offences in the

²⁶ Army Foundation College Harrogate, *Project Athena: A pilot training to optimise basic training for female junior soldiers*, 2022, pp. 28, 30-34, 58, <https://home.crin.org/s/Pj-ATHENA-Report.pdf>

²⁷ B P Bergman, D F Mackay, N T Fear, & J P Pell, ‘Age at entry to UK military service and long-term mental health’, *BMJ Military Health*, 2021, <https://militaryhealth.bmj.com/content/early/2021/04/08/bmjilitary-2021-001786>.

²⁸ M Jones, N Jones, H Burdett, et al., ‘Do Junior Entrants to the UK Armed Forces have worse outcomes than Standard Entrants?’, *BMJ Military Health*, 2021, <https://militaryhealth.bmj.com/content/early/2021/04/08/bmjilitary-2021-001787>.

²⁹ Information obtained under the Freedom of Information Act, ref. ArmyPolSec/D/N/FOI2022/12210, 14 November 2022, https://www.whatdotheyknow.com/request/suicides_in_the_infantry?nocache=incoming-2165712#incoming-2165712.

³⁰ Figures apply to the 20-year period between 2002 and 2021. The suicide rate among soldiers aged under 20 has been increasing since 2007. See additional table 4 in MoD, ‘UK armed forces suicides: 2021’, 2022, <https://www.gov.uk/government/statistics/uk-armed-forces-suicides-2021> [spreadsheet].

³¹ N Kapur, D While, N Blatchley, et al., ‘Suicide after leaving the UK armed forces — A cohort study’, *PLOS Medicine*, 2009, 6(3), <https://doi.org/10.1371/journal.pmed.1000026>.

juvenile justice system.³² It also imposes legally binding obligations, making child recruits subject to military law and restricting their right to leave military service.

- b. Adolescent children - whose capacity for consequential decision-making has yet to develop fully, especially if they have had a stressful childhood³³ - are therefore expected to consent to obligations that could not be imposed on a civilian worker of any age.³⁴ Child recruits are unlikely to fully comprehend the terms of the complex contract they sign, particularly **the quarter of 16-year-old soldiers who are enlisted with a reading age of 11 or less.**³⁵
- c. Despite such susceptibilities, army marketing glamorises military life while omitting its risks and obligations. While parental consent is required, recruiters are not required to meet directly with parents,³⁶ and **a child can be enlisted in circumstances where one parent does not consent.**³⁷

³² See Child Soldiers International, *Out of step, out of time: Recruitment of minors by the British armed forces*, 2016, https://home.crin.org/s/Out_of_step_out_of_time_Recruitment_of_minors_by_the_British_armed_forces.pdf

³³ A Galván & K M McGlennen, 'Daily stress increases risky decision-making in adolescents: A preliminary study', *Developmental Psychobiology*, 2012, 54(4), pp. 433–40; M M Kishiyama, W T Boyce, A M Jimenez et al., 'Socioeconomic disparities affect prefrontal function in children', *Journal of Cognitive Neuroscience*, 2009, 21(6), pp. 1106–1115; D Hackman & M J Farah, 'Socioeconomic status and the developing brain', *Trends in Cognitive Sciences*, 2009, 13(2), pp. 65–73.

³⁴ R Louise, C Hunter, S Zlotowitz, 'The recruitment of children by the UK armed forces: A critique from health professionals', 2016, <https://www.medact.org/2016/resources/reports/recruitment-children-uk-armed-forces>; K D Baker, M L Den, B M Graham, et al., 'A window of vulnerability: Impaired fear extinction in adolescence', *Neurobiology of Learning and Memory*, 2014, 113, pp. 90–100; J N Giedd, M Keshavan, T Paus, 'Why do many psychiatric disorders emerge during adolescence?', *Nature Reviews, Neuroscience*, 2008, 9(12), pp. 947–957.

³⁵ 24–26% of recruits at the Army Foundation College in the year 2019–20 were assessed on arrival to have literacy and numeracy skills at Entry Level 3 or lower (equivalent to that expected of a 9–11-year-old). Information obtained under Freedom of Information Act, ref. FOI2020/07026, 10 August 2020, <https://www.whatdotheyknow.com/request/671628/response/1614867/attach/4/20200708%20FOI07026%20Final%20Response.pdf>.

³⁶ MoD, Ministerial answer to Parliamentary Question no. 223161, 3 February 2015, <https://bit.ly/2FntPHW>; MoD, Ministerial answer to Parliamentary Question no. 227584, 16 March 2015, <https://bit.ly/2VQgHQO>; Information obtained under the Freedom of Information Act, ref. FOI2015/04176, 20 May 2015, <https://tinyurl.com/rwrs7j2>.

³⁷ Under the current rules, a parent who does not consent to their child's enlistment is required to take the matter to court and apply for an order from the judge if they wish to prevent the child being enlisted on the basis of the other parent's consent. Information obtained under the Freedom of Information Act, ref. FOI2021/15410, 14 January 2022, https://www.whatdotheyknow.com/request/804554/response/1951274/attach/3/FOI2021%2015410.pdf?cookie_passthrough=1.

- d. In its report to the Committee, the UK says that recruits aged under 18 “have the right to claim discharge when they enlist”,³⁸ but omits the fact that this right is subject to restrictions:
 - i. Child recruits have **no right to leave the armed forces during the first six weeks** (the most intense phase of training), after which a 14-day notice period applies. After the first six months, a notice period of up to three months applies until the age of 18, at which point the discharge window closes until the age of 22.³⁹
 - ii. Former child recruits and their parents have also reported that, in practice, they were not made aware of this right of discharge, it was denied, or pressure was applied on them not to exercise it.⁴⁰
- e. In its report, the UK **has not answered the Committee’s question** on the measures taken to ensure that “the minimum period of service applied to children who enlist in the army is no longer than that applied to adult recruits”.⁴¹ It is still the case that an army recruit who joins aged under 18, and doesn’t leave before their 18th birthday, has to **serve up to two years longer** than a recruit who joins aged 18 or above. In 2021, the Government resisted legislative attempts to end this discrimination, asserting that the primary reason for retaining it “is that the Army must ensure that it maintains the right workforce levels”.⁴²

19. Suggested recommendations for the Committee to make to the UK Government:

- a. Raise the minimum age for armed forces enlistment to 18 years.
- b. So long as recruitment of children under the age of 18 persists:
 - i. Ensure that army recruits who enlist under the age of 18 cannot be made to serve a longer minimum period than those who enlist as adults;
 - ii. Ensure that recruits under the age of 18 have the unrestricted right to leave the armed forces at will, with no notice period; and
 - iii. Ensure that enlistment of children under the age of 18 is contingent on the written consent of all persons with parental responsibility.

³⁸ *Combined sixth and seventh periodic reports submitted by the United Kingdom of Great Britain and Northern Ireland under article 44 of the Convention (CRC/C/GBR/6-7)*, 2022, para. 315.

³⁹ The Army Terms of Service Regulations 2007, no. 3382 (as amended, 2008, no. 1849); The Armed Forces (Terms of Service) (Amendment) Regulations 2011, no. 1523.

⁴⁰ Child Rights International Network, *Testimonies: abuse of children in armed forces training*, 2022, <https://home.crin.org/issues/military-enlistment/testimonies>.

⁴¹ Committee on the Rights of the Child, *List of issues prior to submission of the combined sixth and seventh reports of the United Kingdom of Great Britain and Northern Ireland (CRC/C/GBR/QPR/6-7)*, 2021, para. 33.C.

⁴² HL Deb 23 November 2021, vol 816, col 818.

The Prevent Strategy

20. Context.

- a. Prevent is the part of the UK's counter-terrorism strategy aimed at preventing "people becoming terrorists or supporting terrorism".⁴³ Since 2015 the policy has placed a duty on public bodies - e.g. education, healthcare and social services - to be vigilant for signs that individuals (including children) they come into contact with are vulnerable to 'radicalisation', and to refer them to the **police-coordinated** Prevent programme. Consent does not have to be obtained from a child or their parent/guardian to make a Prevent referral, but a parent/guardian must consent to a child receiving 'support' through the programme.⁴⁴
- b. New data published since the List of Issues shows that, between 2015 and 2021 in England and Wales, approximately **3,000 children** under the age of 18 have been referred to Prevent **every year**, including an average of **400 children under the age of 18. Less than one in ten** children are escalated to the next stage, suggesting their referrals were not based on a genuine risk to the child or to others.⁴⁵
- c. **Children are disproportionately impacted by Prevent.** Between 2015/16 and 2020/21, children under the age of 18 accounted for **47% of all Prevent referrals**, despite making up only **21% of the UK population**.⁴⁶

21. Child rights concerns with Prevent.

- a. Concerns remain that Prevent violates children's right to non-discrimination, particularly Muslim children, children of Asian ethnicity, and children with mental health conditions or developmental disorders.
 - i. The Government has recently refused to publish ethnicity and religion monitoring data for Prevent referrals (see below, para. 22.b.), but data from 2014 to 2016 indicated that **39 percent of children referred under Prevent were recorded as Muslim** and **38 percent were ethnically Asian**. This is vastly disproportionate to these groups' representation in the UK population; five percent and six percent respectively.⁴⁷ Recent case studies show that children from these groups continue to be disproportionately targeted.⁴⁸

⁴³ HM Government, *Prevent Strategy*, 2011, https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/97976/prevent-strategy-review.pdf.

⁴⁴ For a full explanation of the operation of Prevent and its impact on children in the UK, see Child Rights International Network, *Preventing Safeguarding: the Prevent strategy and children's rights*, 2022, <https://home.crin.org/s/Preventing-Safeguarding-March-2022-CRIN-7a6j.pdf>.

⁴⁵ CRIN, *Preventing Safeguarding*, 2022, p. 13.

⁴⁶ *Ibid.*

⁴⁷ Information obtained under the Freedom of Information Act and held on record.

⁴⁸ See case studies in CRIN, *Preventing Safeguarding*, 2022.

- ii. Research shows that Prevent referrals from the healthcare system are more likely to come from specialist mental health departments and trusts, suggesting that people with mental health conditions are disproportionately impacted.⁴⁹ Regarding children with developmental disorders, the UK's Independent Reviewer of Terrorism Legislation commented in 2021 that “my understanding is that the incidents of autism and Prevent referrals are [...] staggeringly high”.⁵⁰
 - b. In monitoring children’s legal thought and behaviour, Prevent infringes on their rights to privacy and to freedom of thought, expression, religion and assembly. For example, testimonies reveal children being reluctant to express themselves, withdrawing from their education, and ceasing lawful activities that were deemed suspicious, such as political activism or drawing, following a referral.⁵¹
 - c. The policy puts policing and intelligence-gathering priorities above children’s welfare, infringing their Art. 3 rights. For example, it draws them into contact with the police and criminal justice system when they are not suspected of any offence.
 - d. There is no evidence that Prevent is effective in preventing the recruitment of children by non-state armed groups, and by eroding trust between public services and children/their families, thereby undermining services’ ability to effectively safeguard children, may even be counter to this aim.

22. Independent scrutiny.

- a. The UK’s report to the Committee⁵² omits that the Government’s ‘Independent Review of Prevent’ has **missed two deadlines** - the original statutory deadline of August 2020, and a revised deadline of 31 December 2021 - and is now over **two years overdue**.⁵³ It also omits that the Review has been boycotted by major human

⁴⁹ Medact, *False Positives: The Prevent counter-extremism policy in healthcare*, 2020, pp. 35-36, <https://www.medact.org/wp-content/uploads/2020/07/MEDACT-False-Positives-WEB.pdf>.

⁵⁰ “‘Staggeringly high’ number of autistic people on UK Prevent scheme”, *The Guardian*, 7 July 2021, <https://www.theguardian.com/uk-news/2021/jul/07/staggeringly-high-number-of-people-with-autism-onuk-prevent-scheme>.

⁵¹ See e.g. RightsWatchUK, *Preventing Education? Human Rights and UK CounterTerrorism Policy in Schools*, 2016, <https://www.rightsandsecurity.org/assets/downloads/preventing-education-final-to-print-3.compressed-1.pdf>; Open Society Justice Initiative, *Eroding Trust: The UK’s Counter-Extremism Strategy in Health and Education*, 2016, https://www.justiceinitiative.org/uploads/f87bd3ad-50fb-42d0-95a8-54ba85dce818/eroding-trust-20161017_0.pdf.

⁵² *Combined sixth and seventh periodic reports submitted by the United Kingdom of Great Britain and Northern Ireland under article 44 of the Convention* (CRC/C/GBR/6-7), 2022, para. 90.

⁵³ HM Government, *The Counter-Terrorism and Sentencing Bill – Independent Review of Prevent Fact-sheet*, 2021, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/959446/cts-bil-fact-sheet0independent-review-prevent-jan-2021.pdf; Lizzie Dearden, ‘Review of Prevent counter-extremism programme misses deadline – almost three years after it began’, *The Independent*, 24 December 2021,

rights groups and by hundreds of Muslim community organisations due to concerns over the appointment of Reviewer, notably their public record of Islamophobic comments, including that “Europe and Islam is one of the greatest, most terrifying problems of our future”.⁵⁴

- b. In recent years the Government has rejected requests under the Freedom of Information Act to provide data on the ethnicity and religion of children referred to Prevent, citing national security justifications.⁵⁵ This decision precludes meaningful scrutiny of whether the UK is fulfilling the Committee’s 2016 recommendation to “ensure that the implementation of the counter-terrorism and counter-extremism measures, including the Prevent Strategy (2011), will not have a discriminatory or stigmatising impact on any group of children”.⁵⁶

23. Specific recommendations that the UN Committee should make to the UK Government:

- a. Repeal the Prevent duty and Channel programme, and ensure that policy on preventing the recruitment and use of children by non-state armed groups takes their best interests as a primary consideration.
- b. Ensure that statistics regarding the application of all of counter-terrorism policies to children, including ethnicity and religion data, are routinely published and that evaluations of said policies and their methods are placed in the public domain to ensure effective oversight..

Children detained in North East Syria

24. Context

- a. An estimated 34 British children remain in camps in North East Syria⁵⁷ and almost half of Britons detained in these camps were children when they entered Syria.⁵⁸ As

<https://www.independent.co.uk/news/uk/home-news/prevent-review-shawcross-delay-extremism-b1981654.html>

⁵⁴ Jamie Grierson, ‘Human rights groups to boycott government’s Prevent review’, *The Guardian*, 16 February 2021,

<https://www.theguardian.com/uk-news/2021/feb/16/human-rights-groups-to-boycott-government-prevent-review>; Jamie Grierson, ‘Hundreds of Islamic groups boycott Prevent review over choice of chair’, *The Guardian*, 17 March 2021,

<https://www.theguardian.com/uk-news/2021/mar/17/hundreds-islamic-groups-boycott-prevent-review-william-shawcross-protest>.

⁵⁵ See e.g. Information obtained under the Freedom of Information Act, ref. 62693, 3 June 2021.

⁵⁶ Committee on the Rights of the Child, *Concluding observations on the fifth periodic report of the United Kingdom of Great Britain and Northern Ireland* (CRC/C/GBR/CO/5), 2016, para. 21.

⁵⁷ Reprieve, *Trafficked to Syria: British families detained in Syria after being trafficked to Islamic State*, 2021, p. 19, available at: <https://reprieve.org/uk/2021/04/30/trafficked-to-syria/>.

⁵⁸ United Nations Security Council Counter-Terrorism Committee Executive Directorate, ‘Gender Dimensions of the Response to Returning Foreign Terrorist Fighters: Research Perspectives’, *CTED Trends Report*, 2019, p.2, available at:

<https://www.un.org/securitycouncil/ctc/content/gender-dimensions-response-returning-foreign-terrorist-fighters-research-perspectives>.

the Committee has recognised, the conditions in these camps amount to violations of Articles 6 and 37(a) under the Convention on the Rights of the Child.⁵⁹

- b. In October 2022, a British woman and her child were permitted to return to the United Kingdom for the first time since the ground war in Syria ended.⁶⁰ Despite this development, the UK continues to resist the repatriation of people who entered Syria when they were children or who remain children. Part of the UK's response to detained Britons in North East Syria has also included citizenship deprivation, including of people who were trafficked to Syria as children. In 2022, an All-Party Parliamentary Group found that children have been "rendered[...] effectively stateless", as the Home Secretary has deprived pregnant women of British citizenship.⁶¹

25. Suggested recommendations

- a. Take urgent measures to effect the repatriation of British children held in camps in North East Syria;
- b. Support the reintegration and resettlement of each repatriated child;
- c. Take measures to mitigate the risks and harms to children held in camps in North East Syria while pursuing their repatriation and resettlement;
- d. Ensure no child is deprived of their nationality, regardless of whether they have been recruited by an armed group.

⁵⁹ *FB and 48 others v. France* [2022] CRC Communications no. 77/2019, 79/2019 and 109/2019.

⁶⁰ Dan Sabbagh, 'First British woman and her child repatriated to UK from Syrian camp', *The Guardian*, 13 October 2022,

<https://www.theguardian.com/politics/2022/oct/13/british-woman-and-her-child-repatriated-from-syrian-detention-camp-in-uk-first#:~:text=A%20British%20woman%20and%20her.ground%20war%20against%20Islamic%20State>.

⁶¹ All-Party Parliamentary Group on Trafficked Britons in Syria, *Report of the Inquiry by the APPG on Trafficked Britons in Syria*, 2022, p.37.