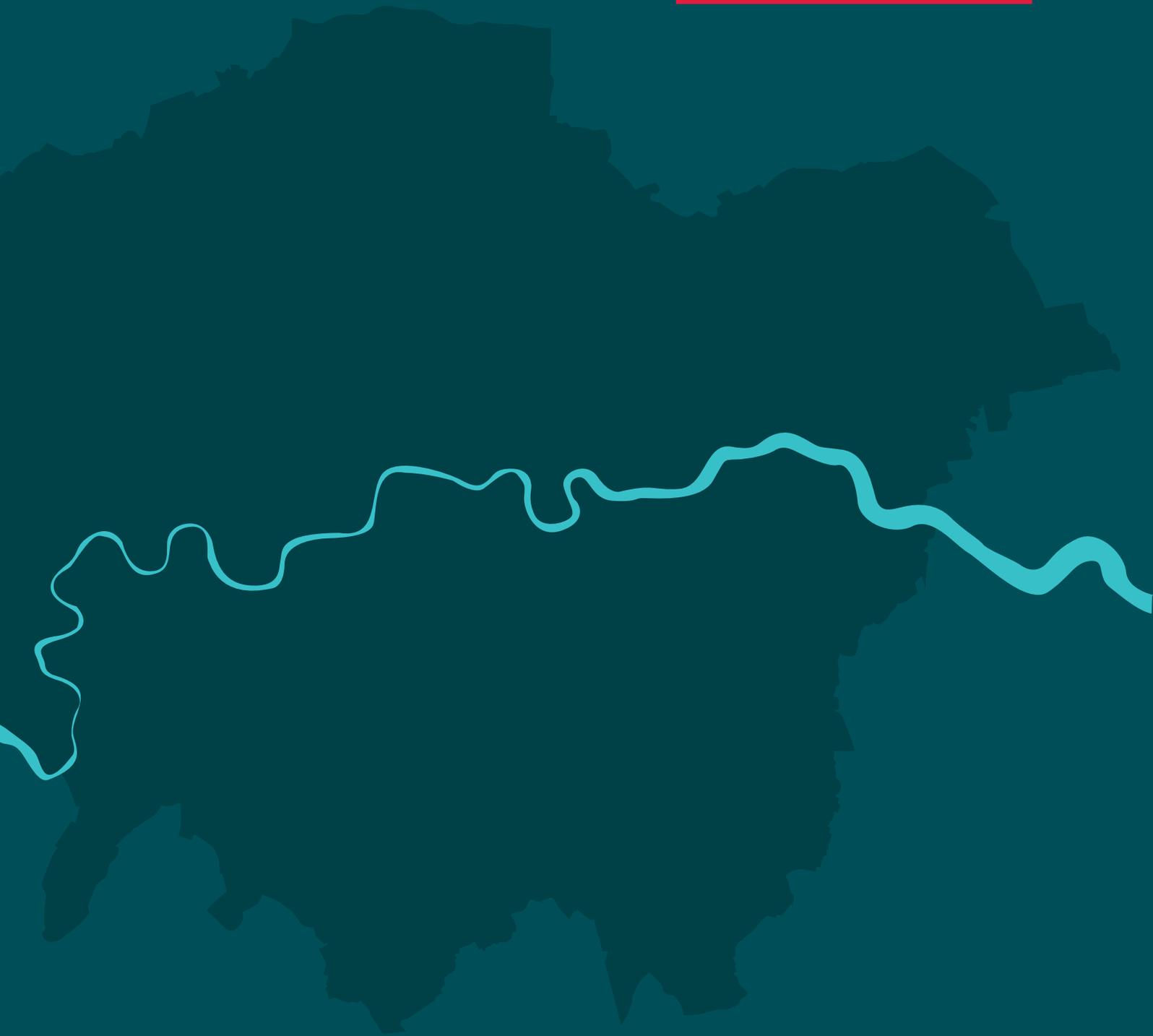




Children's
Rights Alliance
for England

STATE OF CHILDREN'S RIGHTS IN LONDON



EXECUTIVE SUMMARY

Children's rights are the basic things children need to thrive, such as an adequate standard of living, an education, to be cared for, and to play. They also recognise that children must be protected against harm and should not be inappropriately criminalised.

Where public bodies put children's rights and interests at the heart of their work, they can ensure better outcomes for children, more effective service delivery and efficient use of resources, and, ultimately, avoid legal action. Almost every decision a public body makes will affect children's rights. This is true not just in those areas which most obviously influence outcomes for children, such as education, children's services and health. Many other decisions, such as regeneration policies, planning decisions and transport policies, affect the environment in which children live and the way in which they are treated. Children's rights should shape all of these decisions.

This report examines the extent to which public bodies in London are fulfilling children's rights under the UN Convention on the Rights of the Child (UNCRC). It is based on official statistics and information gained through both Freedom of Information requests and focus groups with children and young people.

Structures to ensure children's rights are at the heart of decision-making

Children told us what they know about children's rights, and why rights are important for them:

A children's right is something that every child should have regardless of who they are, or where they come from, or what type of background, or anything like that. It's something every child should have.

It's what all children are entitled to no matter how they are as a person, whether they are disabled or not whether they are ten or two. It's just something that every child gets.

Responses to our Freedom of Information requests indicate that local authorities in London are failing to appreciate the extent of their obligations under the UNCRC and are not putting them at the heart of their decision-making for children. Their responses indicate that they understand "children's rights" to be limited to children's right to be involved in decision-making (the right to participate under Article 12 of the Convention). There seems to be no awareness of their broader obligations under the Convention to (among others) promote positive outcomes for children and tackle inequality in care, health, living standards and education, facilitate children's right to play, culture and rest, and protect them from harm in the criminal justice system. This lack of understanding may account for the fact that not one London borough indicated that it has an action plan or strategy for the implementation of children's rights.

While a substantial number of Councils are ensuring that professionals who work with children receive training on children's rights, seven provide no such training. All London boroughs have in place mechanisms, such as a youth council, to support children's participation in Council decision-making, but younger children tend to be excluded from these mechanisms.

Family life and alternative care

Looked after children should have the opportunity to influence the way in which children's services are run via Children in Care Councils. While all local authorities apart from City of London have a Children in Care Council, in five boroughs (Barnet, Hackney, Havering, Kensington and Chelsea and Wandsworth) the Children in Care Council did not meet with the Director of Children's Services (DCS) at all in 2012. This calls into question how impactful and influential these mechanisms are in practice. At the other end of the scale, Harrow's Children in Care Council met with the DCS 12 times and Haringey's met with the DCS seven times in 2012. Younger children's views are not always represented on the councils. While in Sutton and Southwark the youngest

representatives are five and six respectively, in four boroughs, the youngest representatives are 15 or over (Croydon (15), Richmond upon Thames (15), Kingston upon Thames (16) and Merton (17)).

The location of a looked after child's placement can affect their safety and can interfere with the child's schooling, health services, relationships, and social life. A far higher proportion of children in London than in England are placed far away from home. In England, 12% of children are placed out of area and more than 20 miles from home. All but three London boroughs fare worse than the national average, and in both Newham and Kensington and Chelsea 25% or more of looked after children are placed out of area and more than 20 miles from home.

Like all young people, looked after children are likely to need support from carers beyond their 16th birthday, and so local authorities are encouraged, but not currently obliged, to allow looked after children to stay in care for longer. In England, 66% of children are in care until their 18th birthday. In all but eight London boroughs a higher proportion of children stay in care until this point. In Hammersmith and Fulham, Islington, and Croydon 80% or more of children were looked after until their 18th birthday. However, in Lewisham, Hillingdon, and Wandsworth less than 60% of children remain looked after until 18, and in Tower Hamlets shockingly only three per cent of children are cared for in this way.

There was broad agreement amongst focus group participants with one young person's views about leaving care: *'It's the worst part of the care system'*. Young people talked about a lack of advice and support on leaving care:

You're on your own... That's it.

They don't care anymore... They abandoned you.

You can feel the difference, like... wow. You're really, really alone.

When children are young they have dreams... You have your dream – what you want to become. You know, when I grow up maybe I want to be a doctor, I want to be an engineer. Why don't you just support them to be whatever they want to be, instead of just leaving them half way?

Care leavers in London are more likely to be in education, employment or training when they reach the age of 19 than care leavers in England as a whole. In England, 34% of children who were looked after at 16 are not in education, employment or training at 19. All but 11 London boroughs were doing better than this. However, in Barking and Dagenham 42% of looked after children are not in employment, education or training when they reach 19, whilst in Tower Hamlets and Sutton the equivalent figure is 16%.

Health

In 2013, the president of the Royal College of Paediatrics and Child Health said that the child death rates in the UK represented 'a major crisis'. In many (18) London boroughs, child mortality rates are higher than the national average of 13.7 in every 100,000 children. However, rates vary widely across London. In Kingston upon Thames, Camden, Kensington and Chelsea, Barnet and Wandsworth, child mortality rates are half those in Westminster, Merton and Hackney. This does not correlate directly with poverty, with child poverty rates in Merton (17.7%) and Havering (18.9) amongst the lowest, and Camden amongst the highest (33.6%).

Breastfeeding has huge health benefits for children. Breast milk contains all the nutrients infants need and antibodies to combat disease, and breastfeeding lowers the risk of health problems later in life. The bond between mother and baby created by breastfeeding has been found to have a positive impact on the child for life. Breastfeeding rates are far higher in London than the national average, with breastfeeding initiated at birth for 87% of babies, compared with the national average of 74%. In eight London boroughs breastfeeding is initiated for more than 90% of children and in seven boroughs 75% or more of children are still breast feeding at 6–8 weeks. The national average at 6–8 weeks is 47.2%.

A greater proportion of children in London are malnourished than children in England as a whole. In eight London boroughs, the proportion of children who are underweight in Reception is at least twice the national average. Obesity is also a bigger problem in London than in England as a whole. In six London boroughs, one in four children in Year 6 are obese, compared with less than one in five England.

There is a disappointing lack of data available at the local level about children's access to mental health services and outcomes in mental health. This raises questions as to how public bodies can measure and advance children's enjoyment of their rights in this area. Children we spoke to told us that there was too much pressure on children, which can cause stress.

Standard of living

Child poverty is far higher in London than the rest of the country, with 36% of children living in relative poverty. There is a huge disparity in child poverty rates across London. More than 45% of children in Tower Hamlets are living in poverty, whilst 10% of children in Richmond upon Thames do so.

Bed and breakfast (B&B) accommodation is recognised as unsuitable for homeless children. For this reason, it is against the law for councils to keep homeless families or pregnant women in B&Bs for more than six weeks. Despite this, 2,350 of London's children were living in B&B accommodation in the third quarter of 2013, more than 500 of which were in Ealing. Hounslow, Westminster, Tower Hamlets and Brent all placed more than 200 children in B&Bs. 521 children in London were housed in B&Bs for longer than 6 weeks, accounting for 71% of total in England. More than half of those were the responsibility of just three local authorities – Ealing, Hounslow and Tower Hamlets.

Education

Currently, levels of achievement in London are higher than national averages, even though poverty affects a greater proportion of children in London. As one might expect, there are variations between the level of achievement in different boroughs, with 80% of children in Kensington and Chelsea, but under 60% in Waltham Forest, Lewisham, and Newham attaining 5+ A*–C at GCSE, including English and Maths. More surprising, is the fact that there is not always an obvious correlation between levels of child poverty in a borough and educational outcomes.

Disadvantaged children tend to do better at school in London than in England as a whole. The attainment gap between children eligible for free schools meals and their peers is far lower than in England as a whole. In Kensington and Chelsea, Lambeth and Southwark, it is less than 10% at GCSE. This is not because every one does equally badly – in these boroughs a higher proportion of children do well at GCSE (as measured above) than in the country as a whole. In Kensington and Chelsea, the attainment gap is extraordinarily low, at 4.2%, while it has the highest overall attainment levels. In Kingston upon Thames and Sutton the attainment gap between rich and poor is over 35%.

Children with special educational needs (SEN) also do far better in London than in England as a whole: 35% of these children in London gain 5+ good GCSEs, including English and Maths, compared to the national average of 27%. There are also enormous differences between boroughs. For example, in Havering just over 20% of children with SEN gain these qualifications, while more than 50% of children in Westminster do so.

Play, culture and rest

There is a lack of information available at the local level about children's access to and participation in play, sport and culture, and many sources of information which were published in the past, are no longer available. Our Freedom of Information requests established that eight local authorities do not have a play or open spaces strategy in place.

There was a general feeling amongst children that they lacked time for play, rest and leisure during the week, owing to school work and commitments such as music lessons and religious worship. Some children thought that children in London are better provided for in terms of play and culture than children elsewhere: *'There's more opportunities in London than outside London.'* However, young people commented that a lack of money can have an impact on the activities and opportunities that they are able to take up, and even who they spend time with. Children talked about a lack of play spaces and facilities for older children, compared to those that are available for younger children. Two young disabled people said that public transport is a significant barrier to what they can do in their spare time. One girl who uses a wheelchair said that she finds public transport *'a nightmare'*, which makes her very *'stressed'*. She said this affects what she does with her friends: *'If I do go on the bus with my friends I kind of feel like they're being made to look after me because other people aren't really doing what they're supposed to be doing.'* She described a bus driver letting her friends on and then shutting the doors and driving off whilst she was left on the pavement.

Civil liberties and the criminal justice system

In 2013, the UN Committee against Torture expressed deep concern at the use of tasers on children and recommended that the practice should be banned. This echoed similar comments by the UN Committee on the Rights of the Child, made back in 2008. However, in London the use of tasers on children increased nearly six-fold between 2008 and 2012. In total, police in London tasered children 131 times in this period. Children were tasered in all but nine boroughs, but police in Croydon, Southwark, Lambeth and Lewisham between them tasered children 51 times – accounting for almost 40% of the total usage on children in London.

Across London as a whole, there was a 66% decrease in the stop and search of children between 2009 and 2013, but use of these powers varies greatly from borough to borough. On average, 91 children are stopped per week in Southwark, as opposed to 19 per week in Kingston upon Thames, Merton, Hillingdon and Sutton.

Children in London are imprisoned at almost twice the rate of children in England as a whole, and there are huge discrepancies in the rate of imprisonment across London. Children in Lambeth are 30 times more likely to find themselves in prison than those in Richmond upon Thames.

Conclusions

In many respects, London's treatment of its children should serve as a model for the rest of the country. Despite high rates of child poverty, London is outperforming national averages in relation to many children's rights indicators. It is well known that education in London is a good news story. This report confirms that overall children do better at school in London than in England as a whole, and finds that the most disadvantaged children, including those eligible for free school meals, with special educational needs and black children, also do better in London. Breastfeeding rates are extraordinarily high in London compared to national averages, which can have huge implications for children's health and wellbeing. London also cares for its looked after children well, with outcomes in terms of suitable accommodation and occupation outstripping national averages.

As one might expect in a city with very high levels of child poverty, in other areas in which poverty has a huge impact, such as health, housing and the criminal justice system, London's children experience poor outcomes. In London rates of child mortality, malnutrition and obesity are all higher than the national average, as are teenage pregnancies. A staggering 70% of the children in England who live in bed and breakfasts are in London, with many of these staying there for longer than the permitted 6 weeks. While the use of stop and search on children has been reducing dramatically, the use of tasers has increased as dramatically and London's children are sent to prison at twice the rate of children in England as a whole.

However, to look at London's performance as whole is to miss an important part of the picture. The bigger story is the striking inequality for children in London. Children in the same city can have vastly different outcomes, depending on where they live. Health and educational outcomes vary hugely across London. But more surprising, is that there is not always an obvious correlation between poverty and poor outcomes in these areas. Some boroughs with high levels of child poverty have lower child mortality rates, higher educational outcomes and are less likely to house children in unsuitable accommodation than their more wealthy neighbours.

Moreover, some of the most significant differences in performance relate to boroughs' ability to ensure good outcomes for the most disadvantaged children. The attainment gap at GCSE between children eligible for free school meals and their peers is less than 5% in one borough and more than 35% in others. In some boroughs, the proportion of children with special educational needs doing well at GCSE is double that in other areas. One borough is letting down homeless children by housing more than 500 in B&Bs, while many others avoid this altogether. Imprisonment of children in one area is 30 times that of children in another area.

The report raises questions as to what lies behind the disparity in outcomes for children across London, especially when there is no obvious correlation between poor outcomes and likely contributory factors, such as child poverty. It also provides an opportunity for those public bodies which seem to be serving children less well to identify and learn from those bodies which are doing better.

Public bodies across London must urgently assess their performance in the areas covered by the report, and the reasons behind their poor performance. Children's rights are interdependent – poor outcomes in one area will have a huge impact on children's rights across the board. Local authorities must tackle those problems identified in the report, by increasing awareness about children's rights, and by putting in place plans and systems to implement children's rights in a comprehensive way, taking account of children's rights in all their decision-making.

Summary of borough attainment

