



Submission to the Human Rights and the Scottish Parliament Inquiry ForcesWatch and Quakers in Scotland, 16 March 2018

1. Introduction

ForcesWatch is an independent organisation which scrutinises the ethics of armed forces recruitment in the UK.

Quakers in Scotland are part of the Religious Society of Friends (Quakers) in Britain. Quakers are a Peace Church with a commitment to a radical understanding of religious life and action. Quakers promote peace internationally, regionally in communities, families and the self, seeing social and economic justice and equality as a fundamental underpinning of a peaceful society. Quakers are led by faith to take action, are founding members of many campaigns and initiatives in peace and social justice. Quakers are active in the Rethinking Security initiative and work at the EU and the UN on peacebuilding.

ForcesWatch and Quakers in Scotland have been working together to raise awareness of the issue of armed forces visits to schools in Scotland and are pressing for choice, balance and transparency through the Scottish Parliament's Public Petitions Committee (PPC).¹ Both organisations promote peace education in schools and are part of the Peace Education Network.

Quakers and Forces Watch also support the call to raise the age of military recruitment in the UK to 18, which would be in line with the international consensus established by the UN Convention on the Rights of the Child and Optional Protocol on the Involvement of Children in Armed Conflict (see below).

Quakers and Forces Watch welcome the opportunity to contribute to this inquiry. In this document we provide the background for our submission, including support from child rights organisations, and then address the questions posed by the inquiry with reference to our concerns which are the need for regulation and transparent accountability of military activities in schools, the lack of education about peace and human rights, and the continued recruitment of children into the UK armed forces. We then make a number of recommendations.

¹ <http://www.parliament.scot/GettingInvolved/Petitions/armedforcesvisitstoschools>

2. Background

2.1 Petition on armed forces visits to schools in Scotland

Petition PE01603 calls on the Scottish Parliament to urge the Scottish Government to ensure that:

- **Guidance** is provided on how visits to schools by the armed forces should be conducted so that information presented to children takes account of the unique nature of armed forces careers, ensures political balance, and offers a realistic representation of the role of the armed forces and what a career in the armed forces involves.
- **Information** is collected to enable public monitoring of the number and location of visits, the purpose and content of visits, and comparison with the number of visits by other employers.
- Parents/guardians are **consulted** as to whether they are happy for their child to take part in armed forces activities at school prior to such a visit taking place.

This is a child rights and welfare issue and is recognised as such by the UN Committee on the Rights of the Child and the Children and Young People's Commissioner for Scotland (see below). In recognition of the UK as a signatory to the UN Convention on the Rights of the Child and the Scottish Government as a leader on children's rights and welfare, a national strategy providing consistent practice on the issue of armed forces visits to schools should be put in place.

We have made a number of recommendations to the PPC, including exploring how existing frameworks for policy and practice can be utilised to ensure the concerns of the petition are addressed. These include the use of a Children's Rights and Wellbeing Impact Assessment (CRWIA), as adopted in The Children and Young People (Scotland) Act in 2014, to assess the various rights and wellbeing issues (including duty of care, and right to information and opportunities etc) and the need to ensure a balanced approach that takes a range of concerns into consideration.

2.2 Peace education in schools

We are particularly concerned about the promotion of the armed forces in schools because of the lack of balance with education for, and about, peace.² While there are individual initiatives focusing on sectarianism, extremism, and violence reduction, there is an absence of a compulsory and organised curriculum for peace education within Scottish schools. We are also pleased to see that the Scottish Government's response to the UNCRC issues put some emphasis on children's rights but are disappointed that peace has not been mentioned.³ This is counter to:

2 ForcesWatch, 2015, *Peace education and the promotion of the armed forces in UK schools: alternative report to the UNCRC on the occasion of the UK's fifth periodic review report*, <https://www.forceswatch.net/resources/peace-education-and-promotion-armed-forces-uk-schools>

3 Scottish Government response to the list of issues in relation to the fifth periodic report of the United Kingdom of Great Britain and Northern Ireland, March 2016, para 6.

- The aims of education as set out in the UN Convention on the Rights of the Child (the Convention): “The preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin. (sub-para 29.1.d)”
- UNCRC recommendations that state parties “include the subject of peace and human rights as a **fundamental subject** in the education system, in collaboration with civil society organisations”.⁴
- The content of CRC General Comment No. 1 that specifies that education must promote non-violence in school and specific ethical values enshrined in the Convention, and ensure that children have the skills to resolve conflicts in a non-violent manner.⁵
- UNICEF’s definition of peace education as “the process of promoting the knowledge, skills, attitudes and values needed to bring about behaviour change that will enable children, youth and adults to prevent conflict and violence, both overt and structural; to resolve conflict peacefully; and to create the conditions conducive to peace, whether at an interpersonal, intergroup, national or international level”.⁶

Quakers in Scotland have recently chosen to focus on the promotion of peace education within schools, but have found there are significant barriers to doing so, as follows:

- Lack of understanding among the public, politicians, and professionals in education as to the scope, breadth and benefits of peace education.
- Organisations working in other parts of the UK can offer interesting and engaging education resources, speakers and programmes on peace issues but report difficulties in creating sustainable connections with communities in Scotland.
- Professionals working in peace education are not always aware of the differences in Scottish education, curriculum and system.
- Schools need stronger signals from the Scottish Government that peace education can meet both curriculum needs and further children’s rights.

The ‘Four Capacities’ of the Curriculum for Excellence provide some space for peace education in schools:

- Successful learners
- Confident individuals
- Responsible citizens
- Effective contributors⁷

4 UN Committee on the Rights of the Child, 2008, *Concluding observations on the report of the United Kingdom of Great Britain and Northern Ireland*, CRC/C/GBR/CO/4 para 67; UN Committee on the Rights of the Child, 2008, *Concluding observations on the report of the United Kingdom of Great Britain and Northern Ireland on the Optional Protocol on the Involvement of Children in Armed Conflict*, CRC/C/OPAC/GBR/CO/1, para 20.

5 UN Committee on the Rights of the Child, 2001, *General Comment No.1: The Aims of Education*, CRC/GC/2001/1

6 UNICEF, 1999, *Peace Education in UNICEF*, <https://www.unicef.org/education/files/PeaceEducation.pdf>

The curriculum provides opportunities for peace education such as the exploration of conflict in social studies, critical thinking in religious and moral education, and responsibility and inclusion under wellbeing. Despite these opportunities there needs to be more resources made available for peace education. Schools still depend to some extent on small civil society organisations such as Edinburgh Peace and Justice Centre⁸ or Peace Education Scotland to deliver peace education.

Schools can take steps to involve young people in building peace by introducing restorative approaches. We welcome the growth of peer mediation - conflict resolution for young people by young people. This is due in large part to the Youth Talk pilot programme delivered by Scottish Mediation⁹, currently funded by the Big Lottery. However, this is far from mainstreaming restorative approaches in schools. We hope that the Scottish Government will consider how to make this support for youth-led conflict resolution sustainable.

Best practice in this area would mean a Whole School Approach to conflict, utilising restorative approaches. In so doing, the school promotes wellbeing and respects young people's right to be heard and equips them with the skills to respond to conflict nonviolently. Conflict can then become a learning opportunity.

2.3 The age of armed forces recruitment

The UK is the only country in Europe to recruit 16 year olds into its armed forces.¹⁰ Few countries recruit 17 year olds and the growing consensus is for states to recruit only adults into their armed forces.

In 2016, the UNCRC made the following recommendations to the UK Government and state parties:

- Consider reviewing its position and **raise the minimum age for recruitment into the armed forces to 18 years** in order to promote the protection of children through an overall higher legal standard;
- Reconsider its active policy of recruitment of children into the armed forces and ensure that **recruitment practices do not actively target persons under the age of 18** and ensure that **military recruiters' access to school be strictly limited**;
- In recruiting persons under the age of 18, strengthen its safeguards required by article 3 of the Optional Protocol, in order to ensure that the **recruitment is genuinely voluntary and based on fully informed consent** of the recruit and their parents and legal guardians, and ensure that recruitment does not have a **discriminatory impact on children of ethnic minorities and low-income families**;

7 Education Scotland, Broad general education, <https://education.gov.scot/scottish-education-system/Broad%20general%20education>, accessed 15 March 2018

8 Edinburgh Peace and Justice Centre, Cooperative Games & Conflict Resolution Skills for Primary Schools, 2017, <http://peaceandjustice.org.uk/peace-organisations/cooperative-games-conflict-resolution-skills-for-primary-schools/>

9 Young Talk, Peer Mediation, 2018, <https://www.scottishmediation.org.uk/young-talk/>

10 Child Soldiers International, 2016, *The British armed forces: Why raising the recruitment age would benefit everyone*, <https://www.child-soldiers.org/shop/the-british-armed-forces-why-raising-the-recruitment-age-would-benefit-everyone>

- Ensure that the minimum period of service applied to children who enlist into the army is no longer than that applied to adult recruits.

In the same year, the UNCRC stated that,

“The Committee reminds States parties of the obligation to recognize that persons up to the age of 18 years are entitled to continuing protection from all forms of exploitation and abuse. It reaffirms that the minimum age limit should be 18 years for marriage, recruitment into the armed forces, involvement in hazardous or exploitative work and the purchase and consumption of alcohol and tobacco, in view of the degree of associated risk and harm.”¹¹

The UNCRC had made similar recommendations in 2008. No progress has been made on these issues and the Army has stated that recruiting 16 and 17 year olds will increase in order to mitigate the shortfalls in adult recruiting.¹²

Contrary to the recommendations of the UN, the UK armed forces currently:

- Impose up to two years extra service for recruits aged under-18 than adult recruits.
- Have recruiting teams and projects that actively target BAME communities.¹³
- Conduct numerous marketing campaigns and activities that target teenagers for recruitment, including many within education.
- Have very limited information available to potential recruits and their parents on terms of service and risks. Recruitment brochures emphasise benefits rather than on promote awareness; detailed information on legal obligations is only available at the time of signing the contract; parents and guardians have limited rights and contact with the armed forces, and marketing campaigns have sought to undermine the parental role.¹⁴
- Continue to recruit a high percentage of recruits into the army who are 16 and 17 years old.
- Have conducted no review of the age of recruitment despite calls over many years by child rights organisations, parliamentary committees (including the UK Parliament, Joint Committee on Human Rights) and others.

11 UNCRC General comment No. 20 (2016) on the implementation of the rights of the child during adolescence, para 40.

12 Child Soldiers International, 2015, *Out of step, out of time: Recruitment of minors by the British armed forces. Alternative report submitted to the UN Committee on the Rights of the Child*, <https://www.child-soldiers.org/shop/out-of-step-out-of-time-recruitment-of-minors-by-the-british-armed-forces-1>

13 Mark Francois, 2017, *Filling the Ranks - Report on the State of Recruiting into the United Kingdom Armed Forces*, <https://www.markfrancois.com/filling-ranks>

14 Child Soldiers International, 2016, *Why parental consent safeguards are inadequate*, <https://www.child-soldiers.org/shop/briefing-why-parental-consent-safeguards-are-inadequate-1>

3. Support of human rights organisations

Petition PE01603 is supported by many organisations and individuals who have provided submissions to the PPC. Here we detail comments from child rights bodies.

The UK Children Commissioners have stated in a joint report to the UNCRC that,

*“The UK Government should end the recruitment of children under the age of 18 into the armed forces and visits of armed forces to schools.”*¹⁵

With reference to the UK Government's submission to the UNCRC, the **Scottish Commissioner for Children and Young People** stated that,

*“I believe this confirms that, even where the stated aim of a school visit is careers advice, the end goal of such an interaction is to increase the recruitment of young people.”*¹⁶

With reference to both the age of recruitment and petition PE01603, the Commissioner has said,

“I am pleased that the Committee is considering how these visits impact upon children and young people and is exploring ways in which to better safeguard their rights... It is vital, however, that these young people know exactly what they are signing up to, and are fully aware of the risks associated with a career in the armed forces.

*“As has been stated by the petitioners, recruitment to the armed forces is quite different to that for other careers, including other uniformed roles, with whom many parallels have been drawn. It involves a young person entering into a lengthy contract, from which it is difficult for them to withdraw after an initial period. As such, it is something I believe that **they should enter into only once they have reached the age of 18.***

*“I recognise, however, that the petition provides an excellent first step towards ensuring that school visits by the armed forces are more closely monitored and regulated. I do not believe that the decision about whether such a visit should take place, and what such a visit should entail, should be left to local discretion. Rather, **there should be clear national guidance about the content of such visits and when and where they are to be conducted.** I am particularly keen, for example, to ensure that young people living in more deprived areas are not disproportionately targeted by such visits.”* (emphasis added)

15 UK Children's Commissioners' Recommendations May 2016 to the UN Committee on the Rights of the Child on the Examination of the Fifth Periodic Report of the United Kingdom of Great Britain and Northern Ireland, <https://www.cypcs.org.uk/ufiles/UK-Childrens-Commissioners-final-recommendations.pdf>

16 Children and Young People's Commissioner Scotland Letter of 13 October 2016 to Public Petitions Committee, http://www.parliament.scot/S5_PublicPetitionsCommittee/Submissions/%202016/PE160320161013CYPCLetterof13October2016.pdf

Together (Scottish Alliance for Children's Rights) support PE01603 and detail ways in which regulation, monitoring and consultation would enable compliance with human rights law.¹⁷

*"Together would like to emphasise **the need for a children's rights approach** to address the issues raised by the petitioners. This should involve consultation with children and young people as well as parents and guardians when considering children's participation in activities facilitated by the armed forces in schools." (emphasis added)*

Together fully support raising the age of recruitment to 18, pointing out that,

"The [UN] Committee noted that children from vulnerable groups are 'disproportionately represented' among recruits and briefing materials that are provided to child applicants are not sufficient in explaining the 'risks and obligations' of entering the forces."

4. The inquiry's questions

4.1 Participation and engagement – building awareness and a culture of human rights

We welcome the initiatives already undertaken to promote public awareness and understanding of the rights of children within education, as required by the 2014 Children and Young Peoples (Scotland) Act,¹⁸ but we consider that education about peace and human rights needs to be given more prominence (see 2.2). We also welcome assurances from the Deputy First Minister that he would expect careers advice to 'highlight the issues that have been raised by Medact and Combat Stress around the long-term consequences of being in the armed forces'.¹⁹

As the devolved authority for education in Scotland, we recommend that Education Scotland:

- **Commission a Children's Rights and Wellbeing Impact Assessment for the armed forces visits to schools.**
- **Ensure that children's rights and wellbeing in relation to the armed forces are included in careers and other material for teachers, parents and young people.**
- **Support initiatives to promote regulation, transparency and consultation around armed forces engagement with young people in the light of its identification as a child rights and wellbeing issue.**
- **Address the lack of systematic teaching of peace and human rights, particularly in the light of the promotion of the armed forces and military activities in schools.**

¹⁷ Together Scotland Letter of 11 January 2017 to Public Petitions Committee, http://www.parliament.scot/S5_PublicPetitionsCommittee/Submissions%202017/PE1603_V_TogetherScotland.pdf

¹⁸ Scottish Government response to the list of issues in relation to the fifth periodic report of the United Kingdom of Great Britain and Northern Ireland, March 2016, para 6.

¹⁹ http://www.parliament.scot/S5_PublicPetitionsCommittee/Submissions%202017/PE1603FF_Deputy_First_Minister_and_Cabinet_Secretary_for_Education_and_Skills.pdf

- **Further consult civil society on the peace education initiatives they have developed for schools so as to incorporate peace education into all curriculum at a primary and secondary level and at teacher training institutes.**
- **Provide free peace education and human rights education resources to schools which have been developed in collaboration with civil society.**

4.2 Parliamentary procedure and process – ensuring consideration of human rights

We consider that there are steps that could be taken to embed human rights within the parliament, which would reflect the commitment of the Scottish Government to developing strong human rights-based legislation, practices and awareness. It is important that each issue that comes before parliament is considered with reference to human rights legislation, and without this guiding principle there is a possibility of issues not being understood within this wider context, and viewed only through the lens of balancing of competing interests and view points.

We recommend that:

- **Human rights training is available to all committees of the Scottish Parliament**
- **A commitment is made to Children's Rights and Wellbeing Impact Assessments being commissioned by all committees, where necessary, to aid the systematic consideration of issues in terms of child rights.**

4.3 Accountability – ensuring compliance with human rights obligations

Devolved policy

The UNCRC has clearly stated that 'military recruiters' access to school 'be strictly limited' and the UK Children's Commissioners have expressed concern about a number of aspects of armed forces visits to schools. The Scottish Government is able to directly address these recommendations. At minimum, a national strategy providing consistent practice around armed forces visits to schools should be put in place.

The demand for armed forces recruits is impacting devolved areas of policy, notably education, and undermining Scottish autonomy. In addition to armed forces visits to schools, the Ministry of Defence has requested that Education Scotland promote the Cadet Expansion Programme in state secondary schools. While the Cabinet Secretary for Education has stated there are no cadet forces in Scottish state schools²⁰ this is contradicted by the Ministry of Defence²¹, and there is some doubt that the 'linked detachment units' in Scottish schools are not just rebranded cadet forces, allowing cadet forces into Scottish schools under the radar. There is a lack of clarity and transparency around this issue in Scotland.

20 S5W-7576, 8 March 2017, <https://www.parliament.scot/S5ChamberOffice/WA20170308.pdf>

21 MoD, 'Cadet pupils on the march as Minister visits Scotland', 20 May 2016, <https://www.gov.uk/government/news/cadet-pupils-on-the-march-as-minister-visits-scotland>

Given the unique nature of an armed forces career, and the concern that armed forces and cadet activities in schools have a recruitment purpose, a Children's Rights and Wellbeing Impact Assessment should be developed for these activities. This would provide a strong human rights understanding of the issue and allow the Scottish Government to stand firm on UK intervention in devolved areas of policy

Reserved policy

While defence policy on recruitment is not devolved, there are many ways in which it impacts the human rights of people in Scotland. The resistance of the UK government to fulfilling its obligations under the UN Convention on the Rights of the Child and the Optional Protocol on the Involvement of Children in Armed Conflict indicates that it puts military interests above the interests of those it recruits, many of whom are vulnerable because of their young age and relatively disadvantaged backgrounds. Research now indicates a number of physical and mental health and wellbeing issues associated with military recruitment and the veteran community.²² These include issues specific to training, deployment to combat zones, and a negative association between young recruitment and a number of socio-economic and social mobility indicators.

In its 2017 response to the UNCRC, the Scottish Government partly recognised these issues, stating²³,

“Whilst defence policy is reserved to the UK Government, the wellbeing of children is not. As such we would want to be assured that any recruitment of children to the UK military takes full cognisance of all aspects of their wellbeing. We have therefore requested from the UK Government further detail on the Army Board’s proposal to increase the number of personnel recruited prior to their 18th birthday, including with regards to recruitment from Scotland, and reassurance from the UK Government that it has no intention to change current policy which seeks to prevent the involvement in hostilities of UK Service personnel under the age of 18.”

We are unaware of any further communication between the Scottish and UK Governments on this. We also consider that the requests are limited to gaining information and do not press for change or compliance with the UNCRC recommendations or the spirit of the UN Convention on the Rights of the Child.

We recommended that the Scottish Government:

- **As the devolved authority for education, directly implement UNCRC and the UK Children's Commissioners recommendations to minimise armed forces visits to schools for recruitment purposes.**
- **Commission a Children's Rights and Wellbeing Impact Assessment for all aspects of armed forces and cadet activities in schools.**
- **Develop a national strategy providing consistent practice on armed forces visits to schools.**

²² Child Soldiers International, 2016, *The British armed forces: Why raising the recruitment age would benefit everyone*, <https://www.child-soldiers.org/shop/the-british-armed-forces-why-raising-the-recruitment-age-would-benefit-everyone>

²³ *Scottish Government response to the list of issues in relation to the fifth periodic report of the United Kingdom of Great Britain and Northern Ireland*, March 2016, para 66.

- **Strongly urge the UK Government to comply with the UNCRC's recommendations on child recruitment in the UK.**
- **Work to realise the opportunity for peace education as afforded by the Curriculum for Excellence by consulting with peace education professionals, teachers, pupils and parents about a commitment and draft plan to increase broad spectrum peace education in both primary and secondary schools.**