

## Written evidence submitted by Quakers in Britain to the Select Committee on the Armed Forces Bill

Quakers in Britain are known formally as the Religious Society of Friends (Quakers) in Britain. The national church supports Quakers across England, Scotland and Wales. We are also a charity (registration number: 1127633), working for positive change in the world.

### Summary

- The Armed Forces Bill should be amended to end the recruitment of minors aged 16-17 on welfare and children's rights grounds.
- A legal duty to have 'due regard' risks further militarising society and should be re-evaluated in the context of equality responsibilities.

### Notable omission: Child recruitment

The UK armed forces continue to recruit under the age of 18, despite repeated warnings and evidence about the harm this practice causes. Former serving military personnel, the UN, Children's Commissioners, the Joint Committee on Human Rights, health professionals and human rights organisations<sup>1</sup> have all called for a rethink.

The Armed Forces Bill seeks to address problems faced by people who have been in the armed forces, but does not address negative outcomes arising from child recruitment. The most recent figures show more than 3,260 under-18-year-olds were recruited in the year up to March 2020<sup>2</sup>, but recruiting practices into the British armed forces do not meet the criteria for full and informed consent<sup>3</sup>.

It is for good reason that no other European country and no other permanent member of the UN Security Council recruits 16-year-olds.

The evidence shows these young people face a journey that is more difficult even than that of other soldiers if they join at 16.

*"Teenagers from the poorest areas are targeted despite evidence that enlistment at a young age is detrimental to mental health and social mobility."*<sup>4</sup>

- Children's Rights International

Training is not simply hard, but harmful. Veterans have shared experiences of the bullying and suffering that characterised their initial training in *The First Ambush*<sup>5</sup>. Figures show dozens of army instructors have been accused of abusing recruits in the last decade<sup>6</sup> and film footage from Army Foundation College in Harrogate shows instructors pushing trainees to continue when they are exhausted or in pain, and recruits vomiting and fainting<sup>7</sup>. This is unacceptable in any educational setting.

<sup>1</sup> The Guardian (2015) *War veterans call for rethink on recruitment of 16-year-olds*

<https://www.theguardian.com/uk-news/2015/jun/21/war-veterans-call-for-britain-to-stop-enlisting-teenage-soldiers>

<sup>2</sup> Ministry of Defence, 2020 | UK armed forces biannual diversity statistics: 1 October 2020

Updated 17 December 2020| Under 18 children make up 16.1% of new recruits in the year up to March 2020 | <https://www.gov.uk/government/statistics/uk-armed-forces-biannual-diversity-statistics-2020/html>

<sup>3</sup> (Medact) <https://www.medact.org/2016/resources/reports/recruitment-children-uk-armed-forces/>

<sup>4</sup> Children's Rights International (2019) *British army targets youngest and poorest for riskiest roles*

<https://home.crin.org/evidence/research/british-army-recruitment-and-deprivation-report>

<sup>5</sup> Veterans for Peace UK, *The First Ambush* (2017) <https://vfpuk.org/articles/report-the-first-ambush/>

<sup>6</sup> FOI Request: Army Foundation College recruit abuse

| [https://www.whatdotheyknow.com/request/army\\_foundation\\_college\\_recruit#outgoing-1108370](https://www.whatdotheyknow.com/request/army_foundation_college_recruit#outgoing-1108370)

<sup>7</sup> Channel 5, *Raw Recruits*, Episode 2, aired 14 January 2019, shows two girls vomiting on a timed run in cold

Recruits enduring this are also likely to receive a worse education than in other 16-18 settings. Three quarters of students do not enrol in any Level 3 qualifications (equivalent to A-Levels) and many do not complete them<sup>8</sup>. Recruits don't have the opportunity to resit GCSEs, and they are the only young people aged 16-17 in the UK exempt from the 'duty to participate' in a minimum amount of education until age 18. Ofsted does not inspect the quality and suitability of education as it does in other settings. Junior soldiers can drop out, and almost one third (32%) do, but this leaves them out of full-time education and unemployed<sup>9</sup>.

Things do not get better after training. Once deployed at 18, former junior soldiers experience increased risk of physical injury or death<sup>10</sup>. This is partly because none of them are officers and have no time to gain rank, so they are more likely to be deployed to the front-line roles in the UK's latest war. They are also likely to be promoted more slowly throughout their career than peers who join after 18.

On leaving the military, the problems don't stop. As adults, they are more likely to be anxious, depressed and suicidal, at odds with current advertisements claiming that 'Army confidence lasts a lifetime'. Forming relationships is harder. Socio-economic outcomes are likely to be worse. Armed forces personnel of all ages and ranks are twice as likely as civilians to suffer from anxiety and depression, and 50% more likely to suffer from PTSD. A 2013 study by King's College found that military personnel across the age range were more likely than their civilian peers to commit violent, sexual, and drug-related offences<sup>11</sup>.

Despite foreknowledge of these harms, recruitment advertising has explicitly targeted 16-24 year olds from the poorest three socioeconomic backgrounds<sup>12</sup>.

*"Military recruitment marketing takes advantage of adolescent cognitive and psychosocial vulnerabilities."*<sup>13</sup> - Medact

Youth engagement activities in schools have been systematically increased over the last decade, with more cadet forces and armed forces careers engagement. In so doing, the UK ignored explicit concern from the United Nations Committee on the Rights of the Child that current practices for recruiting children to the UK armed forces do not meet the criteria for full and informed consent, recommending the UK ensures "recruitment practice does not

and wet conditions. One of them says, 'I was about to throw up and the corporal was like, "Throw up once you pass the finish line.'" Episode 4, aired 28 January 2019, shows an instructor shouting expletives at someone falling behind on a loaded march, and one recruit expressing that her chest is tight and that she's having an anxiety attack. This episode also shows instructors telling a recruit with an injured hand to continue with intensive bayonet training despite complaining of pain. Episode 5, aired 4 February 2019, shows similar treatment, and two recruits falling to the ground with exhaustion.

<sup>8</sup> Army/Sec/FOI2020/09584 | proportion of junior soldiers enrolled on courses [https://www.whatdotheyknow.com/request/687019/response/1717976/attach/2/20210203%20FOI09584%20Response.pdf?cookie\\_passthrough=1](https://www.whatdotheyknow.com/request/687019/response/1717976/attach/2/20210203%20FOI09584%20Response.pdf?cookie_passthrough=1)

<sup>9</sup> Of the 7,680 minors who enlisted in the army in the four-year period between 2012-13 and 2015-16, 2,470 (32 per cent) dropped out before completing their phase 2 training. MoD, Response to Written Question 116489, 2017, <https://bit.ly/2SDuckC> [shortened link]; MoD, Biannual diversity statistics, 2018.

<sup>10</sup> MEDACT, 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/>

<sup>11</sup> MacManus, Dean, Jones et al., 'Violent offending by UK military personnel deployed to Iraq and Afghanistan: A data linkage cohort study', *The Lancet*, 2013, 381, pp. 907–917

<sup>12</sup> A Freedom of Information Request revealed the advertising Campaign Brief agreed with Capita targeting "primarily C2DE" people, the three poorest levels.

(2017) | [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/622523/2017-02411.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/622523/2017-02411.pdf)

<sup>13</sup> MEDACT (2016) *The Recruitment of Children by the UK Armed Forces – a critique from health professionals* <https://www.medact.org/2016/resources/reports/recruitment-children-uk-armed-forces/>

actively target persons under the age of 18 and ensure that military recruiters' access to school be strictly limited".

If the government and the Ministry of Defence are serious about treating military personnel fairly, under-18 recruitment cannot continue.

### Recommendations

- The UK armed forces must urgently end under-18 recruitment, particularly in the British Army where the most harmful outcomes are evident.
- Close the Army Foundation College on safeguarding grounds.
- End recruitment activities, covert and direct, targeting minors or schools.

### The 'duty to have due regard'

The duty to have 'due regard' is an inappropriate mechanism. Numerous current and former members of the armed forces have been killed or injured and many more continue to experience problems requiring support. Not only is mitigating this harm the responsibility for central government, which deployed them to hostile situations, but the new duty creates new problems. We fear equality and human rights are imperilled, and that armed forces advance a cultural shift that risks further militarising democratic society.

The problem the government purports to be fixing is that members of the armed forces do not receive fair treatment when accessing services. This implies a desire for equality, but the duty is likely to create more inequities.

### Cultural militarisation

We are concerned that the bill is underpinned by and reinforces the assumption that war is inevitable rather than a political choice of a course of action. Quakers have seen a worrying new tide of militarisation<sup>14</sup> in the last two decades. By enjoining public bodies, including schools, to give due regard to 'sacrifices', the government is promoting a selective narrative that Britain's wars are noble. This may have a stifling effect on democratic discourse as society needs the freedom to question British military policy without fear of censure. The UK public are sceptical about war but highly supportive and compassionate towards the people in the armed forces. This is healthy, and the two should not be conflated.

### Equality concerns

Government has a requirement to deliver a minimum standard of decency for all citizens. Members of the armed forces are not the only members of the UK public we could describe as disadvantaged or unfairly treated. For example, the 'cumulative impact assessment' from the Equality and Human Rights Commission has found government policies disadvantage black households, households with disabled family members, lone parents and women<sup>15</sup>; none of these groups is protected by an additional 'covenant'.

**Point b** of the new duty reflects an understandable desire to 'remove disadvantages' and include people from the armed forces in an equitable society. Clearly, members of the military past or present should not be denied equal access to basic needs such as housing, education and healthcare but this should not be at the expense of other groups. Statutory

<sup>14</sup> Walton, S (2014) *The New Tide of Militarisation*, Quakers in Britain  
<https://www.quaker.org.uk/documents/militarisation-briefing-web-190515>

<sup>15</sup> EHRC (2017) *Poorest hit hardest by tax, social security and public spending reforms*  
<https://www.equalityhumanrights.com/en/our-work/news/poorest-hit-hardest-tax-social-security-and-public-spending-reforms>

duties to support past and present members of the armed forces and their families *already* rests with public services such as the NHS, councils and schools. If public services are not able to meet the needs of the armed forces community, it is because governments have failed to resource and equip them to do so.

The United Nations said in 2018 that, as a result of the government's reductions in the social safety net,

*“great misery has also been inflicted unnecessarily, especially on the working poor, on single mothers struggling against mighty odds, on people with disabilities who are already marginalized, and on millions of children who are being locked into a cycle of poverty from which most will have great difficulty escaping.”*<sup>16</sup>

It is unsurprising that people from the armed forces would be among the millions suffering under this attenuated support, but that is not evidence of a lack of ‘due regard’ by those providing the services.

By placing the duty for removing disadvantage onto public services, government is avoiding examining the harm of its own actions. In the absence of responsible UK government provision, the UK public and charities pick up the cost for care and support from the failure of political leaders to prevent violent conflict.

Even though it is beyond the scope of this bill, we also stress that many members of the public also seek to support the victims of wars outside the UK, and would argue that the UK government has a moral responsibility towards civilians, especially if they have been directly affected by armed hostilities and munitions from the UK.

### **What alternative mechanisms could be used?**

Instead of imposing a duty to have ‘due regard’, we recommend:

- The UK government needs to fully fund support for those in need. We recommend the government use the learning from the Covenant’s annual review to assess the cost of meeting the needs of people from the military, then meet that cost through additional funding to public and charitable providers as appropriate.
- Instead of the duty to show ‘due regard’, the UK government should evaluate the root causes of injuries to service people for which it has responsibility:
  - child recruitment, economic recruitment and the recruitment of vulnerable people;
  - harmful and abusive training;
  - neglect of people’s needs, both in service and after it;
  - the use of military violence and wars of choice to pursue foreign policy goals;
  - failure to invest in the many available and well-developed measures to prevent war.

### **Healthcare, education, and housing matters**

The committee sought feedback on creating a duty in the areas of healthcare, education and housing.

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<sup>16</sup> OHCHR (2018) *Statement on Visit to the United Kingdom, by Professor Philip Alston, United Nations Special Rapporteur on extreme poverty and human rights*  
<https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=23881>

Quakers believe healthcare, education and quality housing should be available to all, and that government should ensure this need is met. Prioritisation should be based on need, not profession. As discussed above, it is problematic that services may be de-prioritised for some people to try to fulfil the duty to have due regard for the armed forces. This risks discrimination against people with greater need, including those with protected characteristics under the Equality Act.

## Healthcare

Armed forces personnel and veterans already experience lesser wait times for many medical treatments, including psychological support and cancer treatment, compared with the wider population in England<sup>17</sup>.

Further concerns arise from the language of ‘special provision’. This risks discrimination against members of the public with protected characteristics under the Equality Act 2010<sup>18</sup>, particularly if they need the same services used by people from the armed forces. It is true that specific kinds of injury and need may require special kinds of treatment and care, but this should be based on need, not a hierarchy of entitlement which places soldiers above other members of society.

We note NHS Trusts saying:

*“Veterans receive their healthcare from the NHS, and should receive priority treatment where it relates to a condition which results from their service in the armed forces, subject to clinical need.”*<sup>19</sup>

In our view the NHS should not be required to prioritise on the basis of anything other than clinical need, using clear guidance on good practice from the General Medical Council<sup>20</sup>.

## Education

In the context of education, the duty is likely to create many problems. The duty to have ‘due regard’ may clash with teachers’ ‘duty to secure balanced treatment of political issues’ under the Education Act 1996<sup>21</sup>, which could include military interventions, the arms industry or the role of the armed forces in democratic society.

Schools are likely to feel pressure to present an uncritical version of the UK’s military actions, which affects children’s right to freedom of conscience. It may also lead to further promotion of recruitment to under-18s, contrary to the recommendations of the UN Committee on the Rights of the Child.

A further example is the Service Pupil Premium, funding schools requiring additional pastoral support for the children of military personnel in schools<sup>22</sup>. This is inconsistent with an equitable approach as the reason children from armed forces households receive a subsidy has not been compared with other groups and their needs.

<sup>17</sup> *The Armed Forces Covenant Annual Report (2020)*

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/943501/6.6856\\_MOD\\_Covenant-Annual-Report-2020\\_Full-Pages\\_A4\\_v16.1\\_web\\_3\\_.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/943501/6.6856_MOD_Covenant-Annual-Report-2020_Full-Pages_A4_v16.1_web_3_.pdf)

<sup>18</sup> Equality Act 2010, <https://www.legislation.gov.uk/ukpga/2010/15/contents>

<sup>19</sup> British Medical Journal (2019) *Utilisation of the principles of the Armed Forces Covenant in NHS Trusts and Clinical Commissioning groups across England: a freedom of information investigation* <https://bmjopen.bmj.com/content/9/1/e022053>

<sup>20</sup> General Medical Council (2014) *Good medical practice* <https://www.gmc-uk.org/ethical-guidance/ethical-guidance-for-doctors/good-medical-practice>

<sup>21</sup> Education Act (1996) <https://www.legislation.gov.uk/ukpga/1996/56/section/407>

<sup>22</sup> Gov.uk, Pupil premium <https://www.gov.uk/government/publications/pupil-premium/pupil-premium>

Whether this special provision is due to vulnerability or value, this approach is problematic.

If the criterion for 'special provision' is *vulnerability*, then the framework should include many other groups. Many refugee and asylum seeker children, for example, would benefit from the same pastoral support being offered to children of the armed service personnel, but are actively denied support where the government dictates they have 'No Recourse to Public Funds' based on immigration status.

If the criterion is the perceived *value* of their role to society, then many other groups could justly ask why they are excluded. During the COVID-19 pandemic, UK key workers have maintained essential provisions. NHS staff and carers have experienced increased risks under enormous pressure, but there is no equivalent duty to prioritise their needs.

## Housing

Quakers are active in supporting equitable access to housing through the Quaker Housing Trust, which supports the creation of homes for people of any age, when they are vulnerable at points of transition in their lives<sup>23</sup>.

We know former military personnel often face challenges with budgeting and housing costs, and exit from the armed forces is often the start of a period of homelessness. They may also have complex needs that should be met. This too is the responsibility of government, to enable everyone to access decent housing. Restricting special provision to one group is likely to ignore other vulnerable people in society.

Quakers have laid out how government can address this in *Principles for a just housing policy*<sup>24</sup>:

1. *It should assess the inter-related needs of the population nationally and locally, recognising that housing is only one part of meeting people's social and physical needs.*
2. *It should respect human dignity and the value of the individual.*
3. *It should promote equal opportunity for access to affordable, secure and appropriate housing and provide freedom of choice.*
4. *It should encourage and exemplify social justice, social inclusion and community development.*
5. *It should take account of, and offer protection to, the vulnerable people in our society.*
6. *It should require every provider of housing to be directly accountable to the wider community for the quality of that provision.*
7. *It should ensure that the quality of new/refurbished housing takes the right use of natural and financial resources into account.*
8. *It should enable the provision of adequate resources for the building, maintenance and management of housing.*
9. *It should actively promote steps to prevent homelessness and bad housing, for this generation and the next.*

<sup>23</sup> Quaker Housing Trust website (2021) <http://www.qht.org.uk/index.html#AboutUs>

<sup>24</sup> Quakers Housing Trust (2015) *Principles of a Just Housing Policy*  
<https://www.quaker.org.uk/documents/principles-just-housing-policy-2015>

## **The power of the Secretary of State to issue guidance on the duties imposed by the Bill**

The committee sought feedback on the power of the Secretary of State.

Like other recent draft legislation such as the Police, Crime, Sentencing & Courts Bill, the legislative language of the Armed Forces Bill is dangerously vague but could endow government ministers with sweeping powers.

It is inappropriate for the Secretary of State to issue statutory guidance that could amplify the inequitable consequences of Armed Forces Covenants. It is particularly troubling that the Secretary of State for Defence could interfere in the provision of education, housing and healthcare.