

## What has lockdown done to Children’s Rights?

### Summary

1. This submission reports the views of 24 primary school children on the impact of lockdown on children’s rights related to the Committee’s Terms of Reference.
2. 12 children’s rights were selected from the United Nations Convention on the Rights of the Child. The five rights rated most important by the children were: to stay alive and well; to be healthy with necessary treatment, clean water and good food; to be educated; and to be treated fairly.
3. Children reported that COVID -19 precautions had not significantly changed how much they were getting of most of the children’s rights.
4. During lockdown, they reported getting more of the right to relax and play, and the right to help and advice from parents or carers.
5. They reported that they had been getting far less of the children’s right to meet up with other children. They had rated this right as important, but as the least important of the 12.
6. COVID-19 measures were brought in to keep people safe, and the children had reported the right to be alive and well as their most important children’s right. They reported getting the right to be alive and well much the same during lockdown as before. Lockdown had succeeded in keeping their level of feeling safe at the same level during the pandemic as they were used to before the time of the pandemic.
7. Closure of schools was a COVID-19 measure specifically affecting children. Children had rated the right to be educated as one of their five most important rights. On the human rights impact of school closures, it is therefore important to know that the children reported that their right to education was being met the same during lockdown as before.
8. The children voted that the government was right to bring in COVID-19 measures to keep people safe from the virus, at the expense of their usual freedoms to do what they usually do and to go where they usually go.
9. Just under half the children voted that the government had got the balance “just about right” between keeping people safe from the virus and taking away other rights. Just over a third thought that the government had made children give up more than was needed to keep them safe, and 4 children would have been willing to give up even more if it would keep them safer.
10. The great majority of the children reported that they had been given information they could understand about COVID-19 and what was being done about it, as the United Nations said they should be.



11. By 10 votes to 7 (with others abstaining or not voting), the children voted that it was fair for children in some school years to return to school before those in other years. Many though thought no child should return to school until it was fully safe to go back, and then all children should have time back at school.
12. Children proposed a number of new children’s rights for any lockdown. These included the right to a balance between learning time and relaxation time, a right for children “to learn something new each day and learn for a set amount of time”, a right for all children locked down at home to be treated fairly and the same, a right for all people to have access to safe places to exercise outdoors, even if they live in high rise flats, a right to have contact with one friend at a social distance, and the right not to go back to school until it is completely safe to do so.

## **Introduction**

13. Pupils 2 Parliament is a long-established project enabling school pupils to consider and feed in their views to Parliamentary Committee inquiries, and to national government and national body consultations.
14. The project has been approved by the Clerks of both Houses of Parliament to use the term ‘Parliament’ in its title.
15. School pupils’ views, perspectives, votes and proposals are gathered independently by Pupils 2 Parliament. All views, voting results and proposals come spontaneously from the pupils, with no prompt or ‘lead’ on what they should say or how they should vote. All the views they give are reported without selection, addition or comment.
16. The topic is presented independently and neutrally by Pupils 2 Parliament, based on information in the inquiry terms of reference, or the government or national body consultation document. Questions are put neutrally, and are derived directly from that document.
17. Pupils 2 Parliament normally carries out focus group discussions with pupils in their schools. For this inquiry, we consulted children online during the Covid 19 lockdown. Children completed a survey on their own at home, or with the help of a parent or carer working the computer, reading questions out and typing the child’s answers in.
18. Where an adult was supporting the child, the child’s and adult’s answers were separately sought and recorded, to separate child from adult views and encourage differences between their answers.
19. Pupils 2 Parliament submissions provide the particular perspectives of children as citizens, their uniquely fresh-thinking on even complex policy questions, and their particularly strong sense of fairness.
20. This submission reports the responses submitted by 24 pupils aged 10 to 11 at Knighton CinW Primary School, Powys. 8 of those pupils were assisted by a parent or carer. The views of those parents/carers are included in the annex to this submission.
21. The Select Committee’s inquiry focuses on three of the Human Rights in the European Convention on Human Rights; the right to life, the right to liberty, and the right to respect for family life. These human rights of course apply to children, but with the special additional focus of the articles of the



United Nations Convention on the Rights of the Child. These children's rights reflect a children's perspective on rights to life, liberty and respect for family life – plus the right to education, which is included in both the European Convention and United Nations Convention rights.

22. This consultation survey with children focuses, probably uniquely, on informing the Committee of how children themselves have seen the impact on their rights of the government's measures to address the pandemic.
23. To do this we have asked them about the impact on their special rights as children under the United Nations Convention on the Rights of the Child.
24. I trust that the Joint Committee on Human Rights will both accept and find useful – and perhaps quotable - this children's rights view of the impact of COVID 19 measures.

### **Relevant Children's Rights**

25. We selected the following children's rights under the United Nations Convention on the Rights of the Child as of particular relevance to the Inquiry's Terms of Reference.
26. These Children's Rights are listed below in order of importance as rated by the children we consulted, with the most important first:
  - Children have the right to stay alive and well
  - Children have the right to be healthy, to have treatment if they need it, to have clean water to drink and to have good food to eat
  - Children have the right to be educated
  - Children should be treated fairly
  - Children should be kept safe from getting hurt, harmed or injured
  - Children have the right to their privacy – to be somewhere private and to be on their own when they want to be
  - Children have the right to say what they think, be listened to, and have their views taken seriously
  - Children have the right to help and advice from their parents or carers
  - When people decide things for children, they should decide what is best for the child
  - Children should be able to get information about things they want to know about, as long as it isn't harmful for them
  - Children have the right to relax and play



- Children have the right to meet up with other children

27. This list provides the Committee with the selected top twelve relevant Children’s Rights in the children’s own order of importance to them.
28. All twelve were voted by this group of children as either “important” or “very important”. The right to say what they think, be listened to, and have their views taken seriously, and the right to help and advice from their parents or carers, were voted equally important by these children.
29. It is significant for the Committee’s Inquiry to note that the children unanimously and independently voted the right to life – to “stay alive and well” – as their most important right. That this came above all the others is key to consideration of the human rights implications of COVID-19 measures for children.

**What government COVID-19 measures have done to Children’s Rights**

30. We asked the 24 children, individually, to tell us how far they had been getting each of the twelve relevant children’s rights during the period of COVID-19 lockdown. Specifically, we asked them to say for each of the rights whether they had been getting that right more than before lockdown, about the same as before, or less than they did before lockdown.
31. There was one right that over half the children told us they had been getting more during lockdown than before. This was:
- Children have the right to relax and play.
32. There was a second right that the children (although this time not quite half of them) told us they had been getting more during lockdown than before. This was:
- Children have the right to help and advice from their parents or carers.
33. There were two rights which the children voted equally as ones they had been getting more, or the same, as they had before lockdown. These were:
- Children have the right to say what they think, be listened to, and have their views taken seriously
  - Children have the right to their privacy – to be somewhere private and to be on their own when they want to be.
34. Children told us that, overall, they were getting the following rights the same during lockdown as they had before:
- When people decide things for children, they should decide what is best for the child
  - Children should be treated fairly



- Children should be able to get information about things they want to know about, as long as it isn't harmful for them
- Children have the right to stay alive and well
- Children have the right to be healthy, to have treatment if they need it, to have clean water to drink and to have good food to eat
- Children should be kept safe from getting hurt, harmed or injured
- Children have the right to be educated.

35. There was strong agreement that during lockdown, the children had been getting one right less than they had before. This was:

- Children have the right to meet up with other children.

36. Overall, therefore, children reported that COVID-19 measures had not significantly changed how much they were getting of most of the children's rights we had asked them about.

37. They had voted the right to be alive and well as their most important children's right, but told us that they were getting this right much the same during lockdown as before going in to lockdown. Lockdown had succeeded in keeping their level of feeling safe at the same level during the COVID-19 pandemic as they were used to before the pandemic.

38. Being away from school in lockdown at home had given them more than before of their rights to relax and play and to get help and advice from their parents or carers.

39. They had experienced more or the same of their rights to have their say in things and to have privacy.

40. The one right the great majority of children told us they had been getting less during lockdown than they had before was the right to meet up with other children. By their votes, this was the biggest single impact of lockdown on children's rights. Importantly though, this right, though greatly missed, was rated by the children as the least important of the 12 rights we assessed. Children's rights such as the right to life, safety, health, education, privacy, to be listened to, to be treated fairly, and to be kept informed, were all rated as more important.

### **The children's votes on the government's COVID-19 measures**

41. The government's COVID-19 measures prioritised keeping people safe from the disease, and therefore the rights to life and health, at the cost of the freedom to do many normal activities. This included taking away children's usual right to mix with other children, which those in our consultation group identified as the major loss among their children's rights during lockdown.



42. We asked the children to vote on whether they agreed that this was the right thing for the government to do. The question we put was “during lockdown, people are kept safer from getting a dangerous disease, but to be safe, they have to give up being free to do what they usually do, and going where they usually go. Do you agree that it is right for this to happen?”.
43. Over three quarters of the children who answered this question (17 out of 22) voted that they agreed that it was right that this had happened. None voted that they didn’t agree that it was right (the others were unsure).
44. The children gave reasons for their vote on this. The overall view was that it was right “to keep everyone safe”. Children also said “because it’s safer for me to stay at home than get the virus”, “it’s the only way to stop getting the disease”, “because if you don’t agree and you meet up with friends and play together you could get the virus”, “because their health is more important than them having fun”.
45. One view separated going out to exercise from simply playing; “it’s okay to go outside for exercise but just to play or something isn’t important”. Children unknowingly infecting others was a concern; “if we had a disease or something like that and we didn’t know we had we could spread it”. One simply said that it was right to give up some rights in order to stay safe, “to stop people getting the virus and dying”.
46. We then asked the children whether they thought the government had made them and other people give up more than they needed to in order to stay safe, or whether the government had got this about right.
47. The largest vote, from just under half the children (10 out of the 22 who voted) was that “they’ve got it about right”.
48. Just over a third, 8 of the 22, thought that “they have made me give up more than they needed to in order to keep me safe”.
49. Four children voted for the answer “I would have been OK with them making me give up even more if it would keep me safer”.
50. So overall, the children agreed that it had been right for the government to take away other rights in order to keep them safe from COVID-19, and on balance, that the government had got it about right in how much they had taken away other rights in order to keep them safe from COVID-19.

### **Keeping children informed about COVID-19**

51. During the lockdown, the United Nations stated that children throughout the world should be given information they can understand about COVID-19, from adults, on TV, online, or in other ways. This places an extra right, to be told about the pandemic and what is being done about it, alongside the United Nations list of Children’s Rights.
52. We asked the children we consulted whether they had been given information they could understand about the COVID-19 virus and what is being done about it.



53. The great majority of the children (19 out of 22 who answered this question) said yes, they had information they could understand about COVID-19. Only one said “no” to this question (the others were not sure).

### **Fairness in the return to school**

54. We asked the children whether they thought it was fair for some school years to go back to school before other years. At the time, this had been proposed for England, and proposals for the return to school were awaited for Wales, where the children we consulted went to school.

55. On balance, the children said that this was fair. Out of 22 children voting, the vote was 10 votes that it was fair, against 7 that it wasn't (with the other 5 not sure).

56. There were though very mixed views about this. Some thought that it was fair in England for younger children and children in their final year of primary school to go back before other years, because the “little people need more knowledge”, while year 6 children need to prepare to move to their high schools and finish off their primary education.

57. One child was concerned that in England, a very young only child, very precious to their parents, might be put at risk by going back to school too early. Others were concerned that “Reception and Year 1 won't understand to social distance”, so it should be older primary school children who return to school first, with classes split. They were also concerned that children returning to school would have to travel by school bus, which would be a risk. One was concerned that if a younger sibling returns to school but an older one doesn't, “I don't think he'll cope with me getting to stay at home”.

58. There was a clear view that no children should go back to school until it was fully safe to go back: “I don't think any schools should return until it is 100% safe”. This was also linked to the view that all pupils should return together when it is safe to go back: “I think everyone should go back at the same time when it is safe to do so that's when we should all go back”.

59. One view was that children who might not return to school before the end of the school year may need time to adjust to going to school again in the new school year: “if we don't get the chance to go back, we need to adjust to school again before making any big steps”.

### **Children's proposals for new children's rights in times of lockdown**

60. Finally, we asked the children to propose any new rights that they thought children should have in any lockdown. As always, we made no suggestions, so these proposals all came spontaneously from the children themselves.

61. Proposed children's rights for lockdown included; a general right to have money, a right to entertainment, a right to be able to make choices about what work you do at home (“we still have to do work, but be able to pick the theme”), the right to an even balance between working and relaxing which is fair and the same for all children at home (“some people do more work than others, some don't do any at all”), and a right for children not to be sent back to school “til it is 100% safe”.

62. One pupil summed up their view on getting a fair learning / relaxation balance when they wrote “children need to learn and need to have a bit of time to themselves”.



63. A new version of the right to education was proposed for children in lockdown: “all children have the right to learn something new each day and learn for a set amount of time”.
64. There were proposals for the right for all children to be treated fairly and in the same way at home during lockdown: “some grown ups aren’t treating their child the same as others”, some “might say that some children need to be told off and that might include them being hurt”, but all children have the right already “to be kept safe and not be hurt, harmed etc”. Another said that for fairness, “you should all tell your parents or carers that I am not getting treated the same way as everyone else – can you please treat me the same way like everyone else”.
65. Another proposal was that there should be a right to exercise, wherever you live, so that “people who live in high rise flats would have a way to access exercise safely”. This right is needed “because every child should be able to exercise and stay healthy”. One pupil wrote “children who live in high rise cities can’t exercise ... everyone should be able to have at least 1 hour of exercise every day and a safe place to exercise”.
66. Pupils also proposed lockdown rules that allow some contact between friends, while limiting the number of contacts and keeping social distancing for safety. “Be able to play outside the gate with one other at a distance”, “you should be able to pick 1 friend and play with them until we go back to school”.
67. Finally, one pupil wished to record that no new rights are needed in lockdown: “I am happy with my rights as they are ... I feel we are being protected and kept safe during this difficult time and we shouldn’t make additional demands”.

I am grateful to the Head and staff of Knighton school for enabling this online consultation, to those parents and carers who supported their children in answering the survey, but above all to all the pupils themselves for their views and always fresh thinking.

18/06/2020

## ANNEX

### Parents’ and carers’ views

68. For the 8 children who had support from a parent or carer in operating the computer, reading the questions, or entering the answers, we also asked the supporting adult to give their own answers to each question, after helping to record the child’s answer.
69. In comparing the views of adults with those of children, it is important to note that we are comparing the views of a small number of adults with those of a larger number of children, two thirds of whom were recording their answers independently of adult help. We are therefore looking at how far, overall, adults agreed with children, rather than the other way round.



70. The adults rated 8 of the 12 relevant childrens' rights as of maximum importance. The children had given a wider spread of importance ratings to the same rights.
71. Adults agreed with the children in rating the right for children to meet up with other children as the least important of the 12 rights, and also agreed with the children that children had been getting less of this right during lockdown than before.
72. There was much agreement between adults and children on the rights that children had been getting more during lockdown than before. The adults agreed with the children that children had got more of the rights to relax and play, and to get help and advice from their parents or carers. The adults also thought children had got more of the childrens' rights to privacy and to be listened to and to have a say. The children had divided equally between saying they had experienced more of these rights, or the same level of these rights, during lockdown.
73. There was one difference about which rights children had been getting more during lockdown. The adults thought their children had been getting more of the right not to get hurt, harmed or injured. The children said they had been getting this right the same during lockdown as they had before.
74. The adults agreed with the children that children had been getting the same level of the right to life – to be kept safe and well – during lockdown as they had before. Lockdown had not increased their safety from life threatening harm, but it had kept it at the usual level despite the virus.
75. There was another difference between the adults and the children. The children had told us that during lockdown they were getting their right to education at much the same level though in a different way. The adults said children were getting less of their right to education during lockdown.
76. The children had said that the government was right to take away some rights and freedoms in order to keep people safe from COVID-19, with three quarters agreeing, some unsure, and none against. The adults were unanimous that this was the right thing for the government to do.
77. The adults supported this because it protected their children and families from the virus, helped avoid spreading the virus to others, and protected the NHS.
78. Like the children, the adults thought that on balance the government had got it about right in how much to limit other rights in order to protect the right to life during the pandemic.
79. The adults also agreed with the children that children had overall been given information they could understand about COVID-19 and what was being done about it.
80. Again, like the children, most of the adults thought that it would be fair for some school years to return to school before others. "Some children are in more critical years of their education, and if all children can't go back together because of social distancing, then it's OK for some to go back". But as the children said too, the adults were concerned that the return to school shouldn't be rushed. Like the children, there was also an adult view in favour of children all returning together: "went on lockdown together, back to school together".
81. Two of the adults' proposals for new children's rights in lockdown were similar to the children's: a right for children without gardens to have open spaces to play in, and a right for each child to be able



to pick a friend to study and play with, with both parents' agreement and provided none have symptoms of the virus.

82. The adults put forward two further proposals for children's rights in time of lockdown. Firstly, the right to see close family such as grandparents, and secondly a right to have free internet access and stationery supplies.

