

# Online Play Action

## November 2005

Welcome to the first **Monthly On-Line edition of PlayAction**. This contains additional features to the articles in the quarterly printed edition (which can be viewed in PDF format on this site). Below is a Contents List of items for this edition. Click on the feature you wish to view. [RETURN](#)

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# **Feature**

## **Many children with mental health problems subjected to Asbos**

More than third of children aged under 17 issued with antisocial behaviour orders have a diagnosed mental illness or learning difficulty, a new study

claims. More than four-fifths of those children had previously been on Acceptable Behaviour Contracts, finds the survey of youth offending teams by the [British Institute for Brain Injured Children](#), but three-quarters of that group failed to meet the conditions of the contracts. It says the majority of children with Asbos have attention hyperactivity disorder (ADHD), while others suffer from depression-related behavioural difficulties, conduct disorders and Tourette syndrome. The findings emerged as the government's latest figures showed that 5,557 Asbos were issued from April 1999 to March this year. The numbers rose by 897 from January to March alone, and almost half were issued to young people.

The findings have prompted [Fair Play for Children's National Secretary, Jan Cosgrove](#), to call once again into serious question the practice and safeguards concerning the issuing of Acceptable Behaviour Contracts. ABCs have already been the target of Fair Play's concern, that they have become a convenient, pseudo-judicial means for clearing children from the streets. "The ABC seems a harmless, almost sensible means of avoiding taking children into the courts system, and of avoiding ASBOs. However, the fact that so many brain-damaged and mentally-ill etc children have moved from ABCs to ASBOs tends to undermine confidence that this device is being properly used in appropriate ways and circumstances. Our concern with the ABC system also is that it is left to individual local authorities and police to run their own systems with no Ministerial oversight, and that, based on evidence we have seen, children are coerced into signing through wholly inappropriate pressures including, as we saw in Islington three years ago, threats to evict families from council homes if their children refused to sign up to ABCs. This latest news underscores the feeling of official high-handedness and improper measures especially if the children are already suffering from identifiable conditions. We also want to see Article 6.1 of the European Convention implemented where ABCs are being considered – that is, in any situation where someone is accused of a criminal offence, or where his/her civil rights and obligations are being determined, that person has a right to have the case considered before an independent, impartial tribunal. This is not happening, there is no concern amongst Ministers etc that this is the case. I am asking both the Local Government Ombudsman and the Commissioner for Children's Rights in England to take up this issue. We need to move away from 'Blunkett Law' and treat such children appropriately, not as junior criminals. This may not make Ms Casey at the Home Office happy, but we're talking about elementary justice for vulnerable children rather than the ideological stance of a unit in the Home Office."

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**Play**

## Northern Ireland Lottery Anger

### Play: Campaigners angry at lack of distinct fund from lottery cash

Campaigners in Northern Ireland are appalled there are no plans to use the country's share of lottery cash for children's play to set up a distinct play fund. In 2001, the UK government pledged £200m for children's play, and recently a £155m Big Lottery Fund programme for play in England was announced. The pledge followed recommendations in a review by Labour MP Frank Dobson that the cash should be targeted at free, outdoor play facilities. But there will be no such fund for Northern Ireland.

At Children Now's recent Prioritising Play conference, **Big Lottery Fund chair Sir Clive Booth** said there were no plans for a "distinct children's play programme". The money would instead be fed into the Change UR Future programme for the under-25s, part of Northern Ireland's Young People's Fund.

**Jacqueline O'Loughlin, chief executive of Play board**, the lead agency for children's play in Northern Ireland, said she had expected the province to get about £9.8m. "Given the unique circumstances of Northern Ireland, the community and statutory segregation of children and young people, and the restrictions on where and how children play, I am appalled that there is to be no distinct plans for a play fund here," she said.

Meanwhile, play campaigners in Scotland are awaiting an announcement this month on the country's anticipated £20m share of the funding. **Play Scotland chair Margaret Westwood** feared the cash would go to childcare and play, despite calls for a dedicated play fund.

A £20m programme for Wales, which will launch next spring, will support a new national strategy for play and address healthy eating and exercise for children, confirmed a spokesman for the Big Lottery Fund in Wales. Booth said the Big Lottery Fund was simply responding to different demands from the four nations, which had emerged from consultation. "We responded to what people told us," he said.

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## **London's children's development stunted by lack of risk-taking in play**

**Dr Ute Navidi, London Play's director**, expressed concern that the lack of risk in playgrounds in London could stop children from learning how to protect them from danger. A visit to a primary school organised as part of the 16<sup>th</sup>

**International Play Association World Conference 'Play: learning for life'** in Berlin, demonstrated how a re-designed school yard providing challenging play opportunities had reduced the number of recorded accidents at the school, as children learned how to manage risk themselves.

The conference, attended by more than 400 play experts and participants from 41 countries, addressed how to manage and also enjoy risk-taking. Dr Navidi said: "In many other countries, children play in far more challenging environments than is often the case here, where the fear of litigation forces limitations to what children are allowed to do."

Dr Navidi continued: "In Berlin, I saw young children paddling in a dinghy in a large pool, chopping wood with an axe and preparing soup in a cauldron above an open fire – lightly supervised by trained professionals. At an inner-city primary school, the school grounds had been transformed from a concreted-over space into a green paradise, using natural materials and elements. They found that the recorded number of accidents actually dropped. In this country we must learn to let children take some risks while at play, and acknowledge that they are competent and intelligent fellow citizens."

The conference declaration expressed 'deep concern about the decreasing attention all over the world towards informal learning through play'.

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## **Child Protection in Play & Leisure**

### **Scie calls for lessons to be learned from near misses**

Child protection systems must investigate near misses as well as incidents of serious harm if children are to be better protected, the **Social Care Institute for Excellence** has recommended. Its new report on managing risk and minimising mistakes in children and families services says that looking into cases where children have narrowly avoided being harmed would mean that the complex assessment, decision-making and review systems involved could be put under the microscope and valuable lessons learned.

The organisation is calling for the creation of a national body to identify such cases and for systems to monitor and correct them to be put in place. The report points out that National Patient Safety Agency was set up in 2001 to operate a similar system for the health service to allow it to learn from mistakes and problems that affect patient safety. Scie said work on near

misses needed to be done in an open and blame-free culture, and recommended the setting up of a professional network for referral and assessment workers to promote good practice. A critical incident reporting system within children's services should also be piloted.

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### **On-going concerns over post-Bichard vetting scheme**

Despite widespread support for a centralised vetting scheme to check the suitability of individuals working with children and vulnerable adults, concerns remain about the potential associated costs and delays.

Responses to the government consultation on the introduction of a central vetting scheme reveal that the vast majority of those working in the sector support the proposed model, put forward following the Bichard inquiry into the appointment of Soham murderer Ian Huntley as a school caretaker. Nine out of 10 are confident such a scheme would have a positive impact in terms of improving safeguards for children and vulnerable adults by preventing unsuitable people from entering the workforce.

However, 30% of respondents are concerned that there may be delays in checks in the new system, with possible consequences for the recruitment process such as candidates withdrawing. Just under half of respondents feel that, in order to prevent this, the majority of initial disclosures ought to be returned within two weeks. Despite on-going concerns around security and confidentiality, the majority of respondents agree that an on-line checking facility is the best way for employers to check whether an applicant is barred.

However, most people feel this service ought to be either free or subsidised, or at the very least paid for on an annual fee, rather than case-by-case, basis. Opinion is divided over whether or not only the most serious offences should lead to barring, although there is widespread support for taking referrals from social services into account when considering individuals' suitability.

**Jan Cosgrove, of Fair Play for Children,** has been part of the Implementation Group meeting to advise the DfES about the new scheme. "On the whole, this scheme will meet the recommendations in the Bichard Enquiry report, and provide a comprehensive register of people who are barred from working with children and with vulnerable adults. I fully understand concerns over cost, but we have to say that the current CRB system is not subsidised for the vast majority of employed positions checked for, and the current system of "free" checks for volunteers is in fact paid for through the cost of the employed checks.

“Child Protection is a reasonable duty to place upon those who provide services for the young, as much as fire safety. No one suggests the government should pay for fire extinguishers, do they? There needs to be a change in the culture that someone else should pay. When voluntary and community bodies are seeking funding and fees for their work, this is a cost that must be included in their calculations. Fair Play agrees with the need for a better definition of offences and situations which will lead to barring. However, any scheme must be run in a just and fair manner, and afford those considered for barring appeal and re-instatement procedures before some form of impartial hearing.”

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### **Workforce: Vetting scheme could cost £22m**

Children's services departments may have to jettison other projects to pay for a proposed vetting scheme that is being introduced in response to the Bichard inquiry into the Soham murders. A Home Office progress report on the Bichard recommendations reveals that people working in sports centres and swimming pools could now be covered by the scheme. As a result the annual cost of running it could be as high as £22m.

A source on the Bichard implementation team said this could mean children's services departments paying more. He said: "Because this came out after the comprehensive spending review, there is an overarching issue, which is that many of the recommendations are having to be managed within the existing budget and additional resources are limited."

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### **Information-sharing guidance bids to end confusion**

Sharing information with other practitioners is key to the early identification of children and families who may be in need of support or services, new government guidance argues. The first cross-government guidance on sharing information on children and young people also stresses the importance of seeing and speaking to children and young people directly.

Its publication comes in response to concerns from children's services managers and representatives about when and how they should share information, fuelled by Lord Laming's criticisms of the handling of Victoria Climbié's case. Laming found that several opportunities to protect Victoria

were missed as a result of practitioners and agencies failing to share information and to speak to the eight-year-old alone.

The guidance, which will be non-statutory, aims to cover all services including health, education, early years, social care, youth offending and police. It highlights the additional problems for health professionals around information sharing given the very high threshold for the disclosure of health information set out in the NHS Code of Practice. "This is right and proper in the normal course of events, but raises particular problems in the context of caring for children," it acknowledges.

As a result, it proposes a new two-tier approach to disclosure for health professionals. This would mean any health professional that suspected a child might be being abused or neglected could contact other professionals to seek further information without disclosing their own concerns. Only where they were satisfied that there were reasonable grounds for concern should they then consider sharing substantive information.

The guidance insists that voluntary and independent organisations working with children and young people must sign up to the broader information sharing protocols being established by their local council and other agencies, and ensure all staff and volunteers understand their role in promoting and safeguarding the welfare of children and young people. This includes voluntary organisations providing sexual health and advice services for young people, who would need to consider any child under 13 engaged in sexual activity as the victim of a crime, and that any sexual activity involving under-17s might involve harm.

Guidance from [www.dfes.gov.uk/consultations/](http://www.dfes.gov.uk/consultations/)

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## Childcare News

### **[Affordable childcare - Capital looks to provider subsidies](#)**

London's £33m [Childcare Affordability Programme](#) is intended to extend access to low-cost childcare and give parents and providers more flexibility, ending the problem of spare capacity. Jo Stephenson examines how the new system is working. There is a lot riding on the success of London's Childcare Affordability Programme, the first large-scale scheme offering direct subsidies to childcare providers. The scheme could make a real difference to the affordability and flexibility of childcare in the capital. Furthermore, if successful, it could herald a major shift in government spending with a move towards more direct funding for childcare.

**London Mayor Ken Livingstone** was due to announced the first three years of funding from the £33m programme recently. The money will subsidise 3,235 childcare places. One third of the places will be affordable full-time day care; providers will receive a subsidy of £30 per place, per week, in order to offer places for £175 a week. The rest of the money will fund flexible places, with subsidies of up to £68 per shared place, per week.

The programme is led by **the London Development Agency** and co-funded by the Department for Education and Skills. while all 32 London boroughs and the Corporation of London joined the scheme in the summer, providers from only 26 authorities have won funding.

### Best bids

Denise Burke, senior childcare manager at the London Development Agency, says the best bids came from councils such as Brent, which has proactive business support officers. Brent has 21 providers taking part - a total of 526 subsidised places. Some providers were concerned about the level of scrutiny the scheme would involve and it was hard work to meet the tight deadline for applications, explains Brent's head of early years, Lesley Fox-Lee. But she is certain it was worth the effort and is keen to stress how pleased the boroughs were to receive the new funding. "We hope it will help with sustainability for our providers and that they won't be managing with vacancies. It will also give parents more choice of childcare," she says.

The authority wants to build on the programme. It sees it as a way of developing stronger links with day care providers and boosting take-up of other initiatives such as quality assurance. But providers that offer full-time day care for less than £175 feel excluded from the affordability subsidy. "We've had to explain this is a pilot and we've had to work within the parameters we've got," says Burke. "The tax credit system is there, with the Childcare Tax Credit set at £175." However, she adds, many providers have found they can benefit from the flexible places, and others will be able to take part in phase two - a series of pilots looking at new ways of tackling barriers to childcare. There is a lot of flexibility within the programme, adds Burke. While roughly £22m has been earmarked for phase one and £11m for phase two, this is not set in stone and funding could shift between phases and across the three years. Burke also is satisfied that there is a good mix of private, voluntary-and community-sector providers - few state-run nurseries are eligible.

The private **Asquith Nurseries** chain saw it as a chance to put spare capacity to good use, says marketing director **Olive Glass**. "It is a good example of the private sector working with the public sector and a real opportunity to improve families' access to quality childcare," she says.

Jana Hassan, manager of Harmony Community Day Nursery, a voluntary sector setting, says the funding will allow the Hammersmith-based nursery to offer more places to parents who are students or have part-time jobs. The nursery is a Neighbourhood Nursery turned children's centre that had to turn parents away after Neighbourhood Nursery funding ended. Now by converting three full-time places into flexible ones they will be able to help eight or nine parents.

## Evaluation

An important aspect of the programme will be the evaluation. The London Development Agency will do quarterly assessments and adjust the funding according to how many places are taken up. The Government's Sure Start Unit will also do six-monthly interim evaluations of the scheme and produce a full report at the end of the three years.

Burke is confident the programme will show that funding providers directly works. "We're hoping it will make the Government think that tax credits are not the full answer and this mix of supply-and demand-side funding is a way forward."

## KEY POINTS

- The Childcare Affordability Programme is worth £33m and is funded by the London Development Agency and DfES
- Phase one offers London providers' subsidies for affordable and flexible childcare
- Phase two will pilot innovative ways to boost childcare flexibility
  - The Sure Start Unit will publish six-monthly evaluations

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# CHILDCARE BILL – Reactions from the field

## Government backs down on child care registration plans

Plans to cease regulating child care for some five- to eight-year-olds have been dropped in the face of mounting opposition from the child care sector, children's minister Beverley Hughes has confirmed. Speaking at the annual Daycare Trust conference in London, Hughes said the proposed Ofsted Childcare Register would now be compulsory for all child care providers working with children up to the age of 8. Initial plans in the child care bill consultation would have meant that non-school-based providers offering

group child care to over-fives would not have had to register with the education and care watchdog.

However, the proposal was immediately met with widespread concern about the potential creation of a two-tier system and the exposure of some five- to eight-year-olds to unnecessary risk. Announcing the u-turn, Hughes said that ensuring children were safe when receiving child care was a key concern for all. "Registration will be compulsory for child care providers for children up to age eight, while remaining voluntary for those providing care for children up to 14," she said. "This fits with our overall aim for the [Child Care] Bill that it should drive up quality, ensure children are safe and simplify the existing bureaucratic regime." Hughes added that the bill, which will also introduce a single quality framework integrating care and learning from birth to the end of foundation stage, would be published "as soon as possible" in the current Parliamentary session. The bill will also place a duty on all local authorities to secure sufficient child care provision to meet the needs of working parents, and better access to integrated early years services.

Beverley Hughes said: "The forthcoming Childcare Bill will be good news for parents, for children and their families and a cornerstone in delivering our vision for early years and childcare. It has been essential that we develop these proposals by building on existing good practice and an understanding of what works best for children. Ensuring children, particularly young children, are safe when receiving childcare is a key concern for us all. I can announce today that registration will be compulsory for childcare providers for children up to age 8, whilst remaining voluntary for those providing care for children up to 14. This fits with our overall aim for the Bill that it should drive up quality, ensure children are safe and simplify the existing bureaucratic regime."

Beverley Hughes said that the forthcoming Bill would introduce a new legal framework for regulating and inspecting early education and childcare by 2008, integrating the different requirements for education and childcare in a coherent way. It would include:

- a single quality framework which will integrate care and learning from( birth to the end of the foundation stage; and
- an Ofsted Childcare Register for provision for school age children.( This will build on existing legislation surrounding suitable persons and health and safety, but also, for example, stipulate child: adult ratios and suitable qualifications.

While registration will continue to be voluntary for providers caring( for children from 8 to 14, it will be compulsory for all childcare providers for children from the end of the Foundation Stage to age 8 to join the Ofsted Childcare Register. In addition, the Bill will set down new duties for Local Authorities, which have radical implications for changing the terms that

children and parents can expect from today's welfare state. The Bill will require Local Authorities to:

Secure sufficient childcare to meet the needs of working parents, and( those seeking work;

Improve outcomes for children up to 5, and close the gap between those( with the poorest outcomes and the rest, through ensuring access to integrated early childhood services; and

Ensure parents have access to the full range of information they( require as a parent.

Beverley Hughes said the intention was to publish the Childcare Bill in this parliamentary session, as soon as possible.

1 - A report on responses to the consultation on the forthcoming Childcare Bill can be found at <http://www.surestart.gov.uk>

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## **Call for partnership working watchdog**

The head of a leading voluntary sector early years organisation has called on the Government to establish a watchdog to monitor local authorities' partnership working and delivery of new statutory childcare duties. **Steve Alexander, chief executive of the Pre-school Learning Alliance**, said the independent body was needed to ensure private and voluntary childcare providers were given a fair opportunity to be involved in the delivery of local services.

His comments come after the first reading of the Childcare Bill in Parliament. The Bill places new statutory duties on local authorities to ensure sufficient childcare, provide information to parents and improve children's outcomes, and "reinforces the need for local authorities to work actively with local voluntary and private sector providers". However, Alexander said the watchdog was needed to deal "much more swiftly and effectively" with councils that were unwilling to engage with private and voluntary partners and make them "truly accountable".

It could take up to a year after council cash had been spent for complaints to be adjudicated under current arrangements, he said. "But by then it's too late." The body could also deal with complaints from parents who felt their childcare needs were not being adequately met by their local council.

**But Alison King, chair of the Local Government Association**, said local authorities' role would be thoroughly scrutinised under existing arrangements such as the Comprehensive Performance Assessment. "There are already so

many checks and balances, I would think all that could be reasonably fitted into this further down the line."

The Bill has been welcomed by the children's sector but there are major concerns over resourcing. The Local Government Association estimates a £200m shortfall over the next two years. There are also worries it will not help some of the most vulnerable families because it focuses too heavily on working parents. [RETURN TO TOP](#) [RETURN TO NEWS MENU](#)

## **DAYCARE TRUST WELCOMES FIRST EVER CHILDCARE BILL**

National childcare charity Daycare Trust warmly welcomed the publication of the Government's Childcare Bill. The Bill is the first ever childcare bill, and will place a legal duty on local authorities to ensure there is sufficient childcare in their area to meet the needs of working families and families with disabled children.

Daycare Trust believes this new duty will place the childcare system on a secure long-term footing and help to ensure that services better meet local need. Daycare Trust will be pressing the government to adopt a wider definition of sufficiency to reflect the need for universal access to childcare. Currently the Bill requires action to secure childcare for low income families who are eligible for the working tax credit. Most children in low income families fall outside this category.

The Bill places important new duties on local authorities in relation to young children: to improve well-being, reduce inequalities and provide integrated services for children under five. The new legislation also puts an end to the artificial distinction between education and care for the under fives by establishing a single framework for quality and a new inspection and regulation regime for early education and childcare. The Bill needs to be backed up by sufficient financial resources for local authorities to implement these duties effectively and provide affordable services to parents.

**Chris Walton, Chief Executive of Daycare Trust**, said: "This crucial legislation will establish a stronger foundation for our childcare system by setting out clear duties for local authorities and a quality framework for early education and care. We must make sure that the legislation is framed so that all children can access the benefits of high quality early education and care and that commitment to quality is combined with simplicity in the regulation and inspection regimes. We look forward to further details about the content of the Early Years Foundation Stage, which must ensure the highest quality provision for very young children. It is important that the new framework looks to augment children's development in the broadest sense, rather than taking a formal school approach to services for very young children. We also look forward to details on the new Ofsted childcare register. We must make sure that core requirements for all services guarantee safety and quality for all children and attracts the confidence of parents."

A briefing note on the new legislation is available on Daycare Trust's website at [www.daycaretrust.org.uk](http://www.daycaretrust.org.uk) [RETURN TO TOP](#) [RETURN TO NEWS MENU](#)

## **Baby education 'absolute madness'**

Toddlers are encouraged to be healthy, competent learners

A national curriculum for babies and toddlers has been dismissed as "absolute madness" by a parents group. Under the Childcare Bill, childminders would teach the curriculum to children "from birth" - with some worrying that it might be too prescriptive. From age three, children in childcare in England would learn rudimentary maths, language and literacy.

**The National Confederation of Parent Teacher Associations** called the proposals "bizarre". **Spokeswoman Margaret Morrissey** said: "We are now in danger of taking away children's childhood when they leave the maternity ward. From the minute you are born and your parents go back to work, as the government has encouraged them to do, you are going to be ruled by the Department for Education. "It is absolute madness."

The proposals for the first three years of children's development give statutory force to existing guidelines, **Birth to Three Matters**, published two years ago. **But the Professional Association of Nursery Nurses (PANN)** also expressed concern. **Tricia Pritchard, from PANN**, said: "We hope that this will be age-appropriate and flexible as young children develop at different rates. "Children of the same age have different abilities." **Deborah Lawson**, former chair of PANN and now vice-chair of the Professional Association of Teachers, said: "We do need to have some guidelines and parameters but nothing that is too prescriptive."

Children's Minister Beverley Hughes said the curriculum would indeed be flexible and "age specific. The Bill tells childcare providers to give a mixture of "integrated care and education from birth". Introducing it, Ms Hughes said: "We want to establish a coherent framework that defines progression for young children from nought to five. We are not talking about sitting very young children in chairs and making them learn numbers and letters where that is inappropriate." The government drew up the new curriculum for toddlers, arguing that research showed earlier education helped children develop faster socially and intellectually. It will build on an existing system which teaches three-year-olds "mathematical development and communication, language and literacy", the Education Department said. The early years foundation stage will have the same compulsory legal force as the national curriculum for schools, Ms Hughes said. She said young children's learning deserved "parity" with that at primary and secondary level, but

denied that this would be at the expense of play. [RETURN TO TOP](#)  
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## Children's Rights

### Latest Truancy Plans receive short shrift

Children's charities have reacted with dismay to the latest Government proposals to cut persistent truancy rates. Under plans recently announced by [Schools Minister, Jacqui Smith](#), 146 secondary schools will have to identify, their 8,000 most persistent truants and put their parents on the "fast track to attendance" scheme. Any parent on the scheme who's child's attendance does not improve over a 12 – week period will automatically face prosecution and the possibility of a three month jail term or a fine of up to £2,500. This comes at a time when truancy experts are claiming that 'truancy sweeps' by the police are not a cost effective way in dealing with the problem.

Research by [Action on the Rights of the Child](#) revealed that 60 percent of children who were stopped were not in fact truanting. The survey took in 120 Local Education authorities revealed that more than 16,000 hours of police time are spent annually on the sweeps, meaning that one truant is caught every 82 minutes. Commenting on the proposals outlined in the "fast track to attendance scheme". A spokesperson for Action on Children's Rights said: "The latest truancy figures are back at 1994 levels, with an increase of more than 10% (see) and the Government's reaction has shown exactly why things can only get worse. Instead of admitting that radical ideas are needed, the Government is subjecting us to the same tired old bluster and macho threats. Prosecute more parents, even more quickly? Well that's really going to help children value their education. Send parents to prison and put their children in care? Just take a look at the truancy rates of looked-after children. Truancy is getting worse, despite a string of initiatives that have cost close to £1bn. Why? Until we try to understand the reasons, there isn't any point in quick-fix prescriptions. What happens to turn a bright, curious toddler into a young person who is completely turned off from learning?

Maybe we should start asking children themselves for some ideas, because it's pretty clear that adults haven't got a clue what to do."

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## **Prison Officers demand harsher treatment for young offenders**

In a move that has shocked and angered many organisations working with children and young people who are detained in custody, **Steve Gough, the National vice President of the Prison Officers Association** called for juvenile offenders not to be treated as children first but as criminals.

In a letter to the director general of HM Prison Service, the Prison Officers Association attacked "the current liberal policy of treating convicted juvenile prisoners as children." Steve Gough accused the prison service of "pandering and nurturing radical dangerous ideologies" that were tying his member's hands. He told Children Now. "The interpretation of the Children Act 1989 is wrong. We need to be able to punish young people. Prisons are institutions and fall into chaos without rules. But as things stand you can't enforce them." His comments have caused shock and dismay amongst organisations working with young offenders. Tim Bateman, senior youth crime policy development at Nacro, said the views expressed by Mr Gough conflicted with the rest of the children's sector. "Young people are children first. It does seem to me that they are pulling in an opposite direction to where an awful lot of Government and youth justice thinking is heading and that's a concern."

Mr Gough's comments on the "liberal" nature of the detention of young people are certainly not born out by recent and not so recent events. It was revealed recently that prison staff in four secure training centres have been permitted to use four 'distraction techniques' which in some cases involve a blow to the nose or to the ribs, cases of nose bleeds and serious injury, including fractures have occurred. His comments show a glaring lack of sensitivity barely a month after the death of another young person in custody. **Sam Elphick**, aged 17 was found hanging in his cell at Hindley Young Offender institution in and died later at Wigan Royal Infirmary. Sam is the 29<sup>th</sup> child to die in penal custody in the UK since 1990: 28 have hanged themselves and one child died after being restrained by three officers at the privately run Rainsbrook secure training centre.

**Jan Cosgrove for Fair Play for Children:** "If there ever was conclusive proof that this is a backwoods organisation unfit to be responsible for the welfare of young people in the penal system this is it? Read Steve Gough's words and worry a lot."

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**Scottish Children's Commissioner reiterates asylum fears**

**Kathleen Marshall, the Children's Commissioner for Scotland** has reiterated concerns over the treatment of asylum seeker children who face deportation following a dawn raid on a family in Glasgow. Kosovar asylum seekers **Isen and Nexhi Vucaj**, and their three children were recently taken from their home after their application for asylum was turned down. The family, who came to Britain in 2000, were said to be still fearful reprisals if returned to Kosovo.

Kathleen Marshall criticised the heavy-handed nature of the dawn raids. " I find it difficult to contemplate that anyone could justify allowing uniformed strangers to wake children in their bed, handcuff their parents in front of them and remove them in a manner that shuts off any possibility of gathering treasured belongings and saying good-bye to their friends", she said.

Marshall has suggested that there should be an "amnesty" for asylum-seeker families that had been in the UK for a "considerable" amount of time, and argued that no children should be removed from parents because of destitution.

The dawn raids raise serious questions, once again about the status of refugee/asylum seeker children in this country and the current Government's response to their human rights. Kathleen Marshall, who along with the other three UK children's commissioners is currently leading a joint campaign on the rights of young asylum seekers said. "Whatever is done to address this must respect the human rights and dignity of everyone involved, and international commitments such as the refugee conventions, the European Convention on Human Rights and the UN Convention on the rights of the Child," Marshall added.

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### **Critics round on Baby ASBO idea**

**AL Aynsley-Green, the Children's Commissioner for England** has added his voice to those who are concerned about possible Government proposals to extend Anti Social Behaviour Orders (ASBOS) to under 10s. Al Aynsley-Green said that, while he wasn't against the ASBO policy per se, he was concerned whether some orders were "appropriate, sensible, proportionate and just."

Downing Street has refused to confirm reports that proposals to extend the orders will be confined in a "Respect" bill to be introduced in Parliament before Christmas. A Downing Street spokesperson said that the so-called "Baby ASBOS" was not a recognised policy, and that speculation as to the content of the bill was unhelpful.

The Commissioner for England has warned that the orders currently issued to children and young people were not always suitable, particularly when young people had mental health problems. Describing the reports as a "worrying development", Aynsley-Green called for an inquiry into the current use of ASBOS before any extension was considered. Adding their voice to the debate, The Howard League for Penal Reform called the proposed Baby ASBOS "grotesque" and warned that legal disputes could arise if a child were to breach the order, as any child under could not be imprisoned and to do so would require further changes in the law.

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## **Ban on Corporal Punishment in School Complies with Human Rights**

Teachers and parents of four independent Christian schools have lost their battle to bring back corporal punishment in schools. They argued that the ban on corporal punishment in independent schools infringed their human rights under Article 9 of the European Convention of Human Rights (ECHR), the right to freedom of thought, conscience and religion; and Article 2 of the First Protocol, which is an addition to the ECHR and is the right of parent's top ensure that their children's education conforms to their religious and philosophical convictions. The parents argued that their schools were set up to provide a Christian Education based on Biblical Observance, which in their view requires the use of corporal punishment, however this was rejected.

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## **ASBOs cannot be understood by all**

More than one in three under-17s who receive antisocial behaviour orders (ASBOs) have learning and communication difficulties, according to a survey of youth offending teams.

**The British Institute for Brain Injured Children (BIBIC)**, which carried out the survey, says people with learning difficulties often cannot understand the terms of the order.

**Julie Spencer-Cingoz**, chief executive of the charity, said she was not against ASBOs per se, but that a different approach was needed for these young people: "It is important for young people with learning difficulties to learn not to break rules, but interventions must take place at an early stage."

The charity hopes to launch a two-year pilot with Avon and Somerset Police, under which 50 young people would be referred to BIBIC assessment and treatment programmes. John Snell, district commander of Somerset West police, said the project would cost £75,000 per year and the force was seeking funding.

BIBIC surveyed 54 of the 149 youth offending teams. The results will be released shortly. Statistics released by the Government recently showed that 5,557 ASBOs were issued in England and Wales up to March 2005, 44 per cent of which were given to under-18s.

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## **Children's commissioner plans to focus on eight priority areas**

**Children's commissioner Al Aynsley-Green** has set out the eight areas he is going to prioritise in his work.

As well as working with the other UK children's commissioners to champion the rights of young asylum seekers Aynsley-Green will also focus on young people's place in society, youth justice, bullying, disability, vulnerable children and young people, minority groups, and health and well-being.

Aynsley-Green, who took up his role at the start of July, said he had not underestimated the size of the problems. "Each of these themes by itself is 10 years' work," he said. "We need to be working with others, the voluntary and the statutory sector, on how we can take forward this incredible range of issues."

**Caroline Abrahams, director of public policy at children's charity NCH**, said: "It is good that he is looking at things to do with vulnerable children, but also issues that impact on every child, such as what society thinks of children, and also bullying.

"I also welcome the fact that he is looking at issues to do with asylum seekers and youth justice, because these are the two groups whose rights are at the greatest risk of being ignored."

Aynsley-Green also said he plans to implement his idea to appoint young people as assistant commissioners. "They will work with us to do things I can't do as well as them," he said, adding that this would include peer consultation.

The Office of the Children's Commissioner is now looking to recruit senior staff. It hopes to have these in place in November, be in new premises by January, and to issue a detailed work plan during the winter.

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## **Denying young people activities could fuel antisocial behaviour**

The youth green paper's proposal to deny activities to young people who behave anti-socially could fuel such behaviour, campaigners warned this week.

**The Interagency Group**, which consists of organisations including the Association of Directors of Social Services and children's charity the National Children's Bureau, said that being denied access to an activity card, as ministers propose, could act as a "badge of honour" to young people.

"It [stripping them of their card] will add to the risk of them becoming adults unable to make the economic and other contributions society expects of them," said the group in its response to a consultation on the document. The green paper proposed that young people from low-income families could be given up to £12 a month to spend on activities, which would be put onto 'opportunity cards'. But the cards would be suspended or withdrawn from young people who committed antisocial behaviour or crime.

**The Youth Justice Board** said there needed to be a clear process for young people who had their cards suspended to earn back their entitlements in order to motivate them to change their behaviour. It said the sanction should also be considered alongside whatever punishment had already been given to the young person to prevent "a system of double jeopardy" being created. The YJB also called for clarity on the types of behaviour that could lead to reduce entitlement.

**YMCA England** was also critical of the scheme, arguing that it was "illogical" to invest in activities for young people and to withdraw the card at the "first sign of anti-social behaviour". It was anxious about the costs of the plans and said the benefits to young people in rural areas would be minimal if transportation issues were not addressed.

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## Research & Media News

### **Kids – including everybody online National charity launches new website**

*Kids, the national charity and leading service provider for all disabled children and their families, launches its new website: [www.kids.org.uk](http://www.kids.org.uk)*

The new website is an integral part of Kids' key aim to provide a range of paths to inclusion, and incorporates Kids' modern, fun and child-focussed logo and visual identity, which were launched in October 2004. "I believe that the new website provides a really easy and immediate picture of everything Kids does. It shows our extensive range of services and how people can access them, as well as outlining our exciting fundraising activities. And it enables people to make donations on-line," says **Dr Sam Brier, Kids' chief executive**. The new website was created by Oasis Media, who have been working with Kids to provide a range of communications consultancy services for the past 13 months. "The brief was to create a colourful, attractive, fast loading website showcasing the new identity, which reflects the true character of Kids," says **Simon Atyeo, Oasis Media consultant**. "It has been designed to be accessible to everyone, with clear navigation and it is written in everyday language. It will be a valuable source of information both for those who are new to Kids and to regular visitors". The new website also reflects the integration of Kids and leading inclusive play organisation Kids active.

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### **Blog Revolution takes off amongst the Young**

A recent survey of young people aged between 14 and 21 revealed that a third of them now publish their own websites or their own personal weblog, or blogs for short. The survey conducted for The Guardian/ICM revealed that on average young people aged between 14 and 21 spend an average of eight hours a week online, but this is far from a solitary activity. There are signs of a growing generation gap, rather than using their parents as internet do – as an information source, to shop or to read newspapers online – most young people are using it to communicate and disseminate information amongst each other. The internet unlike 'traditional media' does not rely on a linear one way process, instead it lends itself to a multiplicity of views and discourses, something clearly young people have taken onboard.

According to the media regulator Ofcom over eight million households are now connected to broadband, the growth of broadband can be attributed

largely to a growth in service providers offering cheap and fast access for a flat rate monthly fee. Amongst young people six in ten have Internet access at home with a quarter of those having their own computer in their bedroom. Many more have access to computers at school, college or university. Among those with a web connection at home, 31 per cent said they had published their own personal site or blog. The greatest take up rate is amongst sixteen to seventeen year olds, with a female bias.

The content and style of these websites and blogs vary considerably; some will be personal sites with rudimentary information or centred around music or sport, while others will have become mini publishing magnate before they have left school. The rate of growth of this new media is staggering. Earlier this year, the tracking site Technocrati revealed that a new blog was created every second.

This new media represents the greatest challenge to the 'traditional' media, and it's dominance by a white, male, middle class, middle aged elite for a generation, the very format gives voice to those that the media has ignored, marginalized or paid token service to, especially the young and there are those in the traditional media circles who are warning that it is time to wake up.

**Rupert Murdoch**, who recently spent £332.85 million on the youth networking site MySpace.com issued a "change or die" warning to an audience of us editors earlier this year. Admitting that the media industry had been "remarkably unaccountably complacent", he described the shift in attitudes as "a revolution in the way young people are accessing news"

"They don't want to rely on the morning paper for up to date information. They don't want to rely on a God-like figure from above to tell them what is important. And to carry the religion analogy a bit further, they certainly don't want news presented as gospel," he said.

Before the death knell of 'traditional' media is sounded, it is well to remember that newspapers and television remain the principal roles in which young people access the news, what the new media does is to give a direct viewpoint of events, a view point that has not been edited or mediated through a professional news organisation complete with its own ideological and cultural bias. An example would be instead of relying on a story from a 'traditional' media source about conditions on a 'sink estate' in London or Leeds or Manchester or Paris, with all its in built ideological values of the news organisation people can visit. A blog written by someone who lives in those areas can give a first hand account of day to day life there, as opposed to someone who is there for a few hours or even a few weeks at the most. The story is ongoing, not simply a snapshot and can thus develop more depth and relevance. Blogging is relatively new and no one really knows where it is going, one thing is certain though it has given people who did not have voice before an outlet, no wonder then it has taken off amongst the young.

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## **Arts Award Will Showcase Young People's Talents**

Arts Council England plans to launch the Arts Award, after a successful pilot scheme between January and March this year, the organiser's hope that this award will become as familiar as the Duke of Edinburgh's Award. Organisers involved in the pilot included film company 'Mouth that Roars' and the dance company 'Clean North'.

Diana Walton, head of Arts Awards at Arts Council England, said: "It's the first award scheme that recognises young people's achievements through the arts."

The scheme will run in youth services, school, and voluntary sector groups and arts organisations. The awards, which will be accredited by Trinity College London will have three levels – Gold, Silver and Bronze – equivalent to National Vocational Qualifications at levels one, two and three. The Arts Council hopes to attract 10,000 young people to the award in its first year.

To become an Arts Award adviser, youth workers or other professionals working with young people, will have to complete a one-day training course that costs £100. Awards will cost young people £12, £15 and £25 as the level increases.

The Department for Culture Media and Sport has committed £700,000 to the scheme over the next two years, and the Arts Council is contributing £900,000 from 2005 to 2009.

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## **CHILDREN AND THE INTERNET: Opportunities and Risks Go Hand in Hand**

Children and young people who make the best use of the Internet also encounter more risks online. This is one of the main findings from a two-year research study by the London School of Economics and Political Science (LSE), in London, UK. The UK Children Go Online project involved a series of focus group discussions and then a national survey of 1,511 9-19 year olds around the UK, together with their parents, in order to examine young people's Internet use in detail. The report compares more skilled Internet users with beginners.

Some of the findings include:

- Children and young people who are more skilled at using the internet take up more online opportunities than beginners, such as using the internet for learning, communicating with friends or seeking advice
- It is the skilled youngsters, more than the beginners, who are likely to encounter online risks (bullying, online porn or privacy risks, etc.)
- Increasing online opportunities also increases the risks
- Those who manage to avoid the risks seem to do so by making only a narrow and unadventurous use of the Internet

The research raises the issue of what parents can do to ensure their children are making the best use of the Internet. Professor Livingstone said: 'Parents who employ supportive practices, rather than simply restricting internet use, increase their children's online skills and, as a result, increase their opportunities'.

Schools also have a role to play. Schools should provide more specific guidance on internet safety, searching and reliability of websites, especially to the younger children (9-11 years) and the oldest (18-19 years), who are less likely to have received such lessons.'

**Stephen Carrick-Davies, CEO of Childnet International**, one of the report sponsors, said: 'This research reminds us that supporting and protecting children online is a complex business, and there are no simple "one size fits all" solutions. Developing critical net-literacy skills in young people is therefore crucial, and this has to involve parents helping children and having meaningful interaction about the Internet. It is also vital that teachers really understand how children are interacting on the Internet outside of the classroom, where it is generally filtered, protected and supervised. This is where more work and support is needed if we are to ensure that children are truly life-literate as well as net-literate.'

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Visit: <http://www.crin.org/resources/infoDetail.asp?ID=5158>

To read the first project report, visit:

<http://www.crin.org/resources/infoDetail.asp?ID=3748>

Second project report: <http://www.crin.org/resources/infoDetail.asp?ID=4715>

Third project report: <http://www.crin.org/resources/infoDetail.asp?ID=4716>

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## Children and Young Peoples Health

### Alcohol: Adults are complicit in youth drinking

One in three adults asked to buy alcohol for an underage young person has done so, according to research carried out for responsible drinking body [The Portman Group](#). About 30 per cent said they didn't think it would do any harm, and a similar proportion said they felt intimidated. One in four adults who admitted buying alcohol for young people said they did not know it was an offence. And about 70 per cent of the sample group - of 1,000 18- to 65-year-olds - did not know they could receive an £80 fine. The Portman Group is launching a campaign to publish penalties for "proxy purchase" of alcohol. It will be sending out posters and stickers to shops and pubs.

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### Healthy eating campaign aims to demystify food for children

A new campaign to improve children's understanding of the food they eat has been launched after a study revealed that more than a third of 8- to 14-year-olds cannot identify the potato as the main ingredient of a chip.

[The British Heart Foundation's campaign, Food4Thought](#), aims to get children - and particularly 11- and 12-year-olds - to think about what is in their food and how they can make healthier choices. A series of posters being put up around the country will reveal the common ingredients of foods popular with children, including cheese burgers, hot dogs and chicken nuggets. Action packs designed as giant crisp packets will also be sent to 600,000 children, and will complement 5,000 teacher packs being sent to secondary schools to get the issue into the classroom.

The charity argues that, with a further 440,000 children in the UK predicted to become overweight or obese in the next two years, poor nutrition among children is a critical issue that requires urgent attention. [Director general Peter Hollins](#) said: "Kids have lost touch with even the most basic foods and no longer understand what they are eating."

"Banning foods or telling children not to eat them is not enough. We must engage children in understanding why certain foods are less healthy than others, and encourage them to become interested in what's on their plate."

As well as talking to children, the campaign is also targeting the government, the food industry, local authorities, schools and parents, calling on them to play their part too.

In particular, the BHF wants to see increased availability of nutritious, affordable food, more opportunities for children to learn practical cooking skills and an end to the marketing to children of unhealthy food and drink products.

The call for more cooking lessons echoes that of the [School Meals Review Panel](#), which published its report on the school's role in helping children to eat more healthily in October.

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### **Drugs campaign to target peer pressure**

A fifth of teenagers admit they would be influenced by peer pressure to experiment with drugs, according to new research. The survey of over 1,000 teenagers, commissioned by the government's national drugs information campaign [FRANK](#), finds younger teenagers are the most susceptible to pressure from friends.

Almost a quarter of 12- to 13-year-olds said they would accept a drug they had never tried before from a friend, compared to 31 per cent of 17- to 18-year-olds. Younger teenagers were also more likely to feel uncomfortable refusing friends' offers of drugs compared to older teenagers.

The findings were published to coincide with the launch of a new advertising campaign, targeted at vulnerable young people who want help to resist drugs. The campaign will also see peer-to-peer work carried out in 30 areas across the country to raise awareness of the dangers of drug taking.

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### **Cannabis use drops after reclassification**

The use of cannabis among 11- to 15-year-olds has dropped since the Government reclassified the drug in January last year, according to the first comprehensive figures released since the change.

The Department of Health's annual [Smoking, drinking and drug use among young people in England in 2004 report](#) shows that the number of young people who have taken cannabis in the past year has fallen to 11 per cent, down from 13 per cent for the previous three years.

A spokeswoman for drugs education charity [DrugScope](#) said the drop might be partly because of publicity caused by reclassifying cannabis as a class C rather than a class B drug. "Drug use has been fairly stable among this age group for a couple of years," she said. "It is the first drop that we have seen, which is really positive."

Overall drug use was also down slightly, from 21 per cent in 2003 to 18 per cent in 2004. The number of young people who were regular smokers remained stable at about nine per cent, and the number who had drunk alcohol in the past week fell from 25 per cent to 23 per cent. The researchers received responses from 9,715 young people, from 313 schools across England.

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## International News

### **CHILDREN'S PARTICIPATION: Children Present their Views and Recommendations**

Children addressed the plenary during the first day of the [Regional Consultation on Violence Against Children for the Middle East and North Africa](#). A boy from Jordan and a girl from Egypt presented both how they had defined different forms of violence against children and their recommendations to the delegates.

Children met for three days before the consultation started to prepare for their contribution. During the preparatory meeting, they classified forms and types of violence in their countries and communities, and detected three types of violence perpetrated against children, namely, physical violence, psychological violence and sexual violence.

Physical violence included hitting, beating, kicking, burning, making children work long hours, pushing them to begging, expecting them to achieve unachievable things.

Psychological violence, which they regard as mainly gender based discrimination and age discrimination, includes: insulting, ridiculing, threat to abuse or abandonment, rejecting the child's lineage, (for instance when a

father would be angry and would tell his child s/he is no longer his son/daughter), marginalisation, where a child would feel s/he is of no value.

Sexual violence includes early forced marriage, especially for those under 18; this has psychological scars on children, mutilation of genitals, rape, sexual harassment.

Based on the types and forms of violence children had identified, they drew up a list of proposals for recommendations, including:

- Organise awareness seminars on how to take care of people, gather old and young people to teach them about child rights
- Use the media to change bad customs; mass media should play a significant role
- Improving livelihood and social and economic conditions of parents. Poverty and financial pressures make families lose love and understanding
- There should be special courts for dealing with family issues, because if complainants come to court to testify then feel they are being punished, then there is no use in complaining in the first place
- There should be systems in place to deal with the problems victims face without separating children from their parents, other ways should be found
- Treatment for drug addicts so that they do not end up perpetrating violence
- Family planning, with support for parents in upbringing their children, which includes instilling the concept of dialogue in the family
- Social workers should regularly visit families where violence occurs
- There should be centres for children who are subjected to violence
- There should be a committee that identifies cases of violence, and then videotapes children's testimony so that they do not have to repeat their story again in court
- Appoint social worker to protect children and receive complaints

Finally the speakers highlighted that they want to be involved in measures to tackle the problem of violence against children because some of their initiatives had been positive, for instance, where children set up online databases and websites where children can communicate with each other by sharing experiences and try and find solutions.

To read the children's declaration, presented at the closing ceremony of the MENA consultation, go to:

<http://www.crin.org/violence/search/closeup.asp?infoID=5801>

To hear children's voices on violence in schools, go to:

<http://www.crin.org/violence/search/closeup.asp?infoID=5795>

To hear children's voices on violence in institutions, go to:

<http://www.crin.org/violence/search/closeup.asp?infoID=5797>

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### **“GUATEMALAN ATTORNEY USES TRICKS AND DECEIT TO TAKE CHILDREN FROM MOTHERS AND OFFER THEM FOR ADOPTION”**

*Casa Alianza saves two children from illicit adoptions and reunites them with their mothers. The attorney and her associates will be prosecuted.*

In spite of the fact that **Casa Alianza** has filed numerous complaints over the past years regarding illicit international adoptions, and despite its efforts to put national and international pressure on the Guatemalan government to institute laws that properly regulate adoptions, the illicit adoption trade continues to thrive. Unscrupulous attorneys are the central players in this trade, and they have converted what should be a noble institution, into a dirty business.

Recently, Casa Alianza successfully reunited two young girls with their mothers, after they had been taken away from them through a deceitful scheme that took advantage of the mothers' economic needs and naiveté.

#### **A Story of Deceit and Corruption**

The first case is that of **Sandra Hernández**, mother of Karla, a precious little two-year-old girl. Sandra was initially approached by **Susana Duarte**, who plays the role of an “intermediary” in the illicit adoption trade - the person who locates mothers who appear to be good targets for taking their children away through deceit. One day, Sandra had gone to the hospital because Karla was sick, and the doctor advised her that Karla suffered from lung problems. As she left the hospital Sandra felt depressed and hopeless, and that is when Susana appeared and invited her to have coffee and even offered her work at her house. Susana expressed concern for Karla's health, and she told Sandra she would put her in contact with **Mireya de Gonzalez**, an attorney who would provide economic help in order to cure the child's illness.

Sandra met Ms. Gonzalez at a restaurant in Guatemala City, at which time she signed a number of blank papers after being told by Ms. Gonzalez that they were needed to admit Karla into a medical clinic where she would receive treatment for her lung problem. During the same meeting, Sandra was given a false identification card. At this point, Karla had been taken away by Susana with assurances that she would be admitted to a medical clinic. Soon after this meeting, arrangements were made for Sandra to be taken to a laboratory for the purpose of extracting some blood, the purpose of which was, she was told, to help in the treatment of Karla. However, the true purpose was to satisfy the blood test required in international adoptions which establishes the identity of a child's mother. Another requirement that

needed to be accomplished was to obtain certification of Karla's birth, and this was done through a bribe paid to a dishonest midwife who then filled out the needed paperwork.

Sandra later said that nothing was ever mentioned by anyone about giving her daughter for adoption. Yet, when she asked to see Karla to verify how the treatment was going, Susana and Ms. Gonzalez refused this request, telling her that she had no rights over her daughter because she had signed papers giving up those rights.

### **"I almost lost my baby for 25 cents."**

The second case concerns **15-year-old Sonia** who is the mother of Maria, 1-year-and-8-months-old, and who is a current resident in Casa Alianza's Young Mothers' Program.

Sonia went to Family Court and filed a complaint against Maria's father for child support payments. Feeling powerless at that moment in the face of this problem, she began to cry. It was then that she was approached by Susana Duarte, the same intermediary as in the case described above, who offered help for her daughter and gave her two quetzales (the Guatemalan monetary unit, worth about 25 cents U.S.) to buy a diaper. Susana then bought her a soda and told her to drink it in order to calm herself down. Sonia does not recall noticing any strange taste in the soda, but she became extremely sleepy after drinking it. At that point Susana offered to take her to her house. By the time they arrived at Susana's house, Sonia had fallen asleep due to the apparent drugging of the soda. "I didn't wake up until the following day, and at that time Susana told me that my daughter had become sick and she had taken her to a clinic, but that I shouldn't worry because she would take me to see her later", tells Sonia.

That same day, Susana took Sonia to the City Hall in order to obtain a new birth certificate for Maria, on the pretext it was needed for the medical clinic. Then Susana said it was necessary for Sonia to donate blood for Maria because she had become seriously ill, and she was taken to the same laboratory as in the first case above. The true reason for the blood donation was to establish that Sonia is Maria's mother, a necessary step in the adoption process. Susana also insisted that Sonia register Maria in the Civil Register of the town she was born in, even though Sonia advised her that Maria had already been previously registered. Susana then put Sonia in contact with attorney Mireya de González, who required her to sign blank documents, telling her that they were needed by the clinic.

Sonia began to feel uncomfortable with these events, and she began to feel hopeless because they did not take her to see her daughter. Finally, she went to her mother for help. Her mother called Susana who told her the "if

you love the little girl so much, you'll have to claim her in court because she is being adopted."

## **Waiting for Justice**

Both of the above cases were filed with the Court of Children and Adolescents by the District Attorney and by attorneys with the Casa Alianza Legal Program. The judge assigned to the case was **Casta Liliana Castañeda Flores**, who ruled that the two girls be returned to their mothers. In the case of Sonia, because she is a minor, she entered Casa Alianza's Young Mothers' Community where she is receiving shelter, protection and care for herself and her daughter.

Casa Alianza attorneys petitioned the court to prosecute Susana Duarte and Mireya de González and their associates for the crimes of child kidnapping, falsification of documents and other violations of the law. On November 11, 2005, the Judge granted the petition and initiated prosecution against these persons.

Casa Alianza denounces the irregularities that take place in many adoptions in Guatemala, where children are unscrupulously separated from their parents, many times through taking advantage of the poverty of the mother and father. Adoption is a noble institution that permits homeless children to have a family and a home, but under no circumstances should the improper separation of children from parents, such as occurred in the above cases, be allowed. Casa Alianza urges (1) the National Congress to pass legislation to protect families from such abuses, (2) the National Attorneys Association to intervene where attorneys engage in unethical and illegal conduct, and (3) the Courts of Children and Adolescence to apply the full weight of the law on those who are found to have participated in unethical and illegal acts against children and their parents.

### **FOR MORE INFORMATION**

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## **SEXUAL EXPLOITATION: Violence against Children in Cyberspace [publication]**

[BANGKOK, 11 November 2005] - Weak laws and fragmented industry action is exposing children around the world to increasingly serious violence through the Internet and other cyber technologies, according to a new report released

last week by ECPAT International. **"Violence against Children in Cyberspace"** was written with leading experts around the world as a contribution to the **UN Study on Violence against Children**.

The report says violence against children through new technologies is pervasive, causes deep and lasting physical and psychological damage to the child victims, and is outstripping the resources of law enforcement agencies. It draws together the latest knowledge on cyber violence against children and outlines an agenda for action, including greater industry action and stronger national legislations harmonised to international standards.

Forms of cyber violence against children outlined in the report include: child pornography and 'live' online sexual abuse for paying customers, online sexual solicitation, cyber stalking and bullying, and access to illegal and harmful materials. As well, child exploiters use cyberspace to network for child sex tourism and trafficking.

The UN Study leader, **Professor Paulo Pinheiro** has welcomed the report as a comprehensive and "groundbreaking" overview of violence against children related to new technologies and sounding a clear warning of the urgent need for action to combat it. "This report gives the global community no excuse for saying that 'we didn't know' or 'we couldn't foresee' the exponentially increasing violence caused to children in relation to new information and communication technologies," he says.

The report estimates the child pornography industry to be worth billions of dollars a year, although most child sex abuse images are traded for non-monetary gain. The main free-to-view sites have been traced to Russia, the US, Spain, Thailand, Japan and the Republic of Korea. More than half of the child sex abuse images which are sold for profit are generated from the US and nearly a quarter from Russia. These countries are also the main hosts of commercial child pornography websites, followed by Spain and Sweden.

Millions of child sex abuse images circulate online, and through mobile phones and peer networks. Interpol's shared child pornography database contains images of between 10,000 and 20,000 individual child victims, of whom fewer than 350 have ever been located.

The key elements of the report's Agenda for Action are: stronger legislation and law enforcement, greater responsibility from the IT industry, and comprehensive education campaigns.

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To read the report, visit:

<http://www.crin.org/violence/search/closeup.asp?infoID=6567> (English)

<http://www.crin.org/violence/search/closeup.asp?infoID=6568> (French)

<http://www.crin.org/violence/search/closeup.asp?infoID=6558> (Spanish)

Visit ECPAT-CHIS website on the global campaign for industry responsibility to combat violence against children in cyberspace at: <http://www.make-IT-safe.net>

Visit CRIN's website on the UN Study on Violence against Children at:

<http://www.childrenandviolence.org>

ECPAT and UNICEF are organising a panel discussion on e-child protection at the World Summit on the Information Society (WSIS) currently taking place in Tunis (see above):

<http://www.crin.org/violence/search/closeup.asp?infoID=6569>

The 17th Meeting of the Task Force to protect children against sexual exploitation in tourism took place in London:

<http://www.crin.org/resources/infoDetail.asp?ID=6572>

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## **CHILDREN AND ARMED CONFLICT: Fighting the recruitment of child soldiers [publication]**

[LONDON, 11 November 2005] - Save the Children has published a report that looks at the reasons why children join armed groups and recommends ways of tackling the recruitment process. Tens of thousands of children from at least 60 countries were recruited into armies, militia and rebel factions between 2001 and 2004, constituting a gross abuse of children's rights.

"**Fighting Back**" is based on interviews with 300 children and 200 parents and carers in conflict situations in the Ivory Coast, Sierra Leone and Liberia, found that while some children are forced to join armed groups against their will, many others join voluntarily for a wide range of reasons, including:

- a lack of alternatives: many children cited a lack of access to education and vocational training as a major reason for joining an armed group
- inadequate care: a third of the ex-child soldiers interviewed said they had been recruited after becoming separated from their parents or carers.
- poverty and hunger: having sufficient food to eat, or being able to provide for parents and siblings, was consistently described as one of the only benefits of joining the fighters.

- protection: some joined to safeguard themselves and/or their families and their possessions.
- power: some ex-child soldiers said they joined to gain power and material wealth and be able to do things they wouldn't normally be able to do, with boys accused of joining to "get" (rape) girls.
- revenge: some joined to avenge abusive or humiliating behaviour or the death of a family member by another armed group.
- excitement: others were lured by a desire to have fun and/or adventures, make friends or find a partner.

But the report found that life with an armed group was far from "exciting". As well as risking death or injury on a daily basis, the vast majority of children who had been formerly associated with fighters spoke of extreme hardship and suffering physically, psychologically and sexually abuse. And those who had chosen to join were often deeply disillusioned.

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Visit: <http://www.crin.org/resources/infoDetail.asp?ID=6571>

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## **CHILDCARE: Study of Institutional Childcare in Central and Eastern Europe and the former Soviet Union [publication]**

EveryChild has just published a new report entitled "**Family Matters: a study of institutional childcare in Central and Eastern Europe and the former Soviet Union**", written by **Richard Carter**. The report is a study of institutional childcare across Central and Eastern Europe and the former Soviet Union, and reveals the true extent of the crisis today.

There are over 1.3 million children living in institutional care across Central and Eastern Europe and the former Soviet Union, and, more alarmingly, the rate at which children are entering care is actually increasing. There is little support and virtually no alternative forms of childcare available to desperate parents, and many feel they have no option but to place their child in an institution.

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Visit: <http://www.crin.org/violence/search/closeup.asp?infoID=6563>

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## Youth Inclusion

### Youth Inclusion: Positive Activities faces staffing issues

The Government has been urged to end confusion over the funding of a £45m youth activities programme in order to prevent youth workers leaving. An independent evaluation of the second year of **Positive Activities for Young People** highlighted recruitment and retention problems caused by "uncertainty over the future of the programme".

Although the Government has indicated the scheme will continue beyond its initial three-year funding period, the Big Lottery Fund, one of the main funders, has withdrawn its support, prompting fears that the initiative will be scaled down.

**Evaluators CRG Research** said: "There is still evidence of some confusion on the ground as to what exactly will happen. Without prompt clarification ... the risk of key workers leaving for other positions will remain." A Department for Education and Skills spokeswoman could not confirm when Education Secretary Ruth Kelly would make a decision on funding.

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## Parliamentary News

## **Youth Green Paper: LGA wants councils to lead any reforms**

The Local Government Association (LGA) is calling for the Government to give councils the lead role in improving services for children and young people. The LGA is concerned about the proposals for advice and guidance in the youth green paper, which allows schools and colleges to commission services themselves if they believe the alternative, is poor. **Alison King, chair of the LGA Children and Young People's Board**, said: "Schools and colleges acting alone can't provide the support and opportunities that the most vulnerable need to overcome obstacles to learning." The association set out its proposals for the reform of services in Champions of Local Learning, which was recently published.

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