

PLAY

CHILD CARE

FAMILY SUPPORT

CHILDREN

EDUCATION

IT'S NOT JUST THEIR JOB,  
IT'S OUR WHOLE LIVES

PROTECTION

SOCIAL MEDIA

HOUSING

RIGHTS

FRIENDSHIP

HEALTHCARE

An exploration of human rights for children  
and young people from armed forces families

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July 2024

FORCES  
CHILDREN  
SCOTLAND

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## SPECIAL THANKS

We would like to thank the children and young people of Leuchars Primary School, Firrhill High School, Colinton Primary School, Queen Victoria School and Scots Corner Youth Group, plus the young people who joined us online, for contributing to the Human Rights Bill consultation. We would also like to thank the eight young people who attended our Rights Residential and subsequent online sessions and gave us great insight into their lives and experience of human rights.

This report has had input from more than 160 children and young people between the ages of eight and 19 from across Scotland.

Throughout this report, we use a mixture of composite stories and direct quotes to represent the views and experiences of the young people. There are five composite stories within the report. These stories are not from real people but have been written with young people to reflect their experiences, as shared with us while developing this document. Our special thanks to Rubie for bringing our composite stories to life through her wonderful animations, which you can watch on our [YouTube channel](#).

Some of the children and young people quoted are anonymous but others wanted to use their real names, so they could own their experiences.

# ACRONYMS USED IN THIS REPORT

**AFCAS**

Armed Forces Continuous Attitudes Survey

**AFCS**

Armed Forces Compensation Scheme

**ASL**

Additional Support for Learning

**ASN**

Additional Support Needs

**CAMHS**

Children and Adolescent Mental Health Services

**CEA**

Continuity of Education Allowance

**CRC**

United Nations Committee on the Rights of the Child

**CRIA**

Children's Rights Impact Assessments

**FAMCAS**

Tri-Service Families Continuous Attitudes Survey

**GIRFEC**

Getting it Right for Every Child

**MOD**

Ministry of Defence

**RAF**

Royal Air Force

**SAAS**

Student Awards Agency Scotland

**SFA**

Service Family Accommodation

**UNCRC**

United Nations Convention on the Rights of the Child

**WAC**

Wrap Around Childcare scheme

**WP**

War Pension

Throughout this report, to enhance readability, the term parent has been used to represent both parents and carers.

# A FOREWORD FROM FORCES CHILDREN SCOTLAND

Forces Children Scotland is a children's rights-led organisation. We value the thoughts and opinions of children and young people and our work is guided by them. In this report, we want to highlight their interests, so they are not overlooked.

In upholding children's rights, we seek to ensure that all children and young people will grow up in environments which protect, respect and fulfil their human rights, ensuring their wellbeing, development and dignity is not adversely impacted because of their place within the armed forces community.

“Young people should be at the heart of decisions that affect their lives”

We acknowledge that many children from forces families do well and they have many examples of how their rights have been promoted. However, we will demonstrate that some children from forces families do not experience their rights to the fullest. For these children, it is important that their rights are upheld and that they have access to justice when they are not.

The recommendations in this report build upon wide consultation with children and young people. We have been true to what they told us they wanted to change and how it would make life better for them. Again, we thank them for sharing their experiences and opinions and seek to amplify them throughout this report.

If we were to highlight the most important thing for children and young people, out of everything they told us, it would be that every policy, decision or communication must consider their needs and rights, not only the needs of the family. They want us to make sure they are at the heart of every decision that affects their lives.



**MEG THOMAS**

Deputy CEO and Policy Lead

## A WORD FROM ONE OF OUR YOUNG PEOPLE

In 2020, I joined the online book club run by the Army Welfare Service and Forces Children Scotland. I had heard about the Forces Children Scotland Youth Forum from another member of the book club and thought that with my experiences of being a military child, I could be a valuable part of the team. I was excited at the opportunities that could appear in the future.

Over the past few years, I have been involved in many different opportunities. I really enjoyed being part of Tornado of Change – a campaign launched in May last year to raise awareness of the transition from a serving to a veteran family. The project was not a quick one and we had to overcome many challenges. However, Forces Children Scotland found ways of keeping us part of the journey.

More recently I took part in an online session focusing on children's rights. I found it very good to share my perspective on the subject. Following the online session,

I attended a residential that was aimed at developing a children's rights report. I had a lot of fun during the weekend away as it allowed us to share our views through various games and activities. It was eye-opening, even for me, to learn about the lives of other military young people. As a veteran Army child, Tri-Service residentials allow me (and others) to learn different things about people who have similar experiences.

**I hope this report allows young people's rights to be better respected by teachers, MSPs, MPs and the Ministry of Defence**

I take pleasure in working with Forces Children Scotland and I am extremely grateful for all that the charity has done for me. Forces Children Scotland has enabled me to develop my skills and overcome my fears. In October 2023 I spoke at the Scottish Parliament. This was the biggest thing I have ever done and something I never imagined I'd be able to do. I strongly believe the work Forces Children Scotland does is very important and beneficial, not only to young people but to all connected to the armed forces.

I hope this report allows young people's rights to be better respected by teachers, MSPs, MPs and the Ministry of Defence. I feel very lucky to have been a part of the process of developing this report and hope that my experience and input has helped.

**SOPHIA**

# EXECUTIVE SUMMARY

## BACKGROUND

Forces Children Scotland is a children's rights-led organisation. We value children and young people's thoughts and opinions, and our work is guided by them. In 2023 we launched our co-produced influencing strategy, [A Force for Meaningful Change](#), which has five manifesto themes. This report furthers the theme of upholding children's rights.

When it comes to realising their human rights, children from armed forces and veteran families face challenges through experiences resulting from the role of a serving parent.

Children and young people from armed forces and veteran families are not a homogenous group. Many do well and there are many examples of where their rights have been promoted. However, in this report, we will demonstrate that some children and young people from this community do not experience their human rights to the fullest.



## THE CHILDREN'S HUMAN RIGHTS CONTEXT

The United Nations Convention on the Rights of the Child (UNCRC) was created in recognition of the fact that children require special protections for their rights due to their status as children. While the UNCRC makes no explicit reference to children and young people from armed forces families, all its provisions apply to them as a group who experience greater risk of their rights not being promoted.

When it comes to children from armed forces and veteran families, **Scotland and the UK must understand and consider their unique childhoods to ensure everything possible is being done to protect and promote their rights.**

In July 2024, Scotland incorporated the UNCRC into Scots Law, within the limits of devolution. **To support promotion of children's rights, a plan for the progressive realisation of the rights of children from armed forces and veteran families must be built into budget and policy planning at a UK, Scottish and local government level, to ensure the greatest impact for these children.**



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The Armed Forces Covenant and its Duty go some way towards strengthening protections for forces children but, with the commencement of the UNCRC Act, **we need urgent clarity about how the UK and Scottish Governments and local authorities will protect against potential disruption to the fulfilment of their rights.**

This report outlines how the rights of children and young people from armed forces and veteran families are affected across three categories – **protection, provision and participation** – and shares recommendations that children and young people have said would make a difference.

### RIGHTS TO PROTECTION

These ensure children are protected from actions that threaten their dignity, survival or development. These actions are, in the main, carried out by adults and institutions. These rights include:

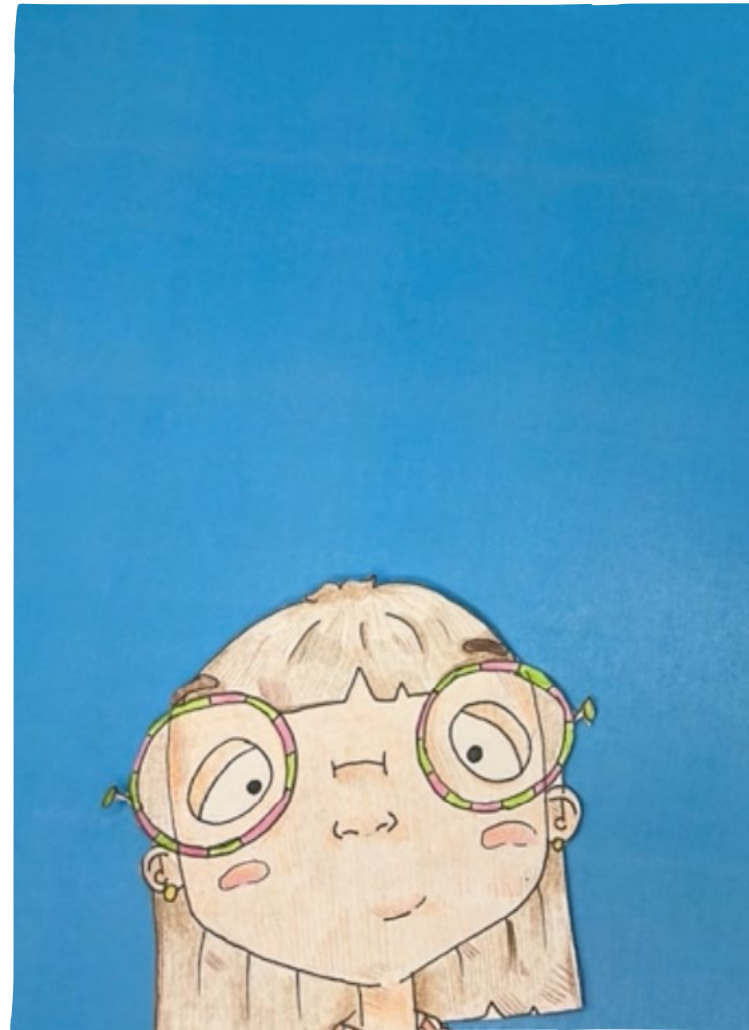
**Article 2** Non-discrimination.

**Article 9** To not be separated from their parents.

**Article 16** To be protected from arbitrary or unlawful interference with their privacy, family home or correspondence.

**Article 3** For all decisions made about them to have their best interests as a primary consideration.

**Children and young people from armed forces and veteran families often face barriers to their protection rights due to a parent's service.**



Children and young people frequently express that separation is one of the most difficult aspects of having a serving parent<sup>1</sup>. Children and young people also report that service life can impact on their right to privacy and that they can

<sup>1</sup> Children's Commissioner (2018) *Kin and Country: Growing Up as an Armed Forces Child*, page 10

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feel discriminated against because of their parent's service. The impact differs depending on the child's age and experiences.

We urge decision-makers to review all policies and guidelines relating to postings and extended residential training courses, to ensure that there is direct instruction to consider the impact on children, and that any possible mitigations are considered and implemented.

More needs to be done to educate the wider community about the strengths that children and young people from forces families bring to new settings and the challenges to their protection rights they face.

More needs to be done to identify mitigations for the effects of separation, discrimination and breach of privacy for all children, to promote their best interests.

**Article 3 gives children the right to have their best interests assessed and taken into account as a primary consideration<sup>2</sup>.**

There may be a perceived clash between the best interests of children from armed forces families and national security and the needs of the services. **When some sacrifice is required, the distribution of rights should be fair<sup>3</sup>.** Children and young people from forces families tell us that it does not feel fair and they do not feel heard.

**When children's best interests conflict with other interests** and a suitable compromise cannot be found – as is the case with children from forces families and the service-related separations they experience – then in weighing up the rights of all concerned, **the child's interest must have a high priority and not just one of several considerations.**

### RIGHTS TO PROVISION

The UNCRC gives children rights to the services, skills and resources necessary to ensure their survival and development to their full potential. These rights include:

**Article 24** Access to healthcare

**Article 28 and 29** Access to education

**Article 27** Access to suitable housing

**Article 18** Access to childcare and family support.

<sup>2</sup> UNICEF, *Convention on the Rights of the Child*

<sup>3</sup> Theobald (2019) UN Convention on the Rights of the Child: "Where are we at in recognising children's rights in early childhood, three decades on?". *International Journal of Early Childhood* (springer.com)



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Children and young people have raised accessing these rights as challenging due to being in a forces family. The provision rights will provide mitigation when the protection rights cannot be fully met.



**The frequent moves experienced by those in the armed forces directly affect how their children experience their provision rights.**

**Family support is a fundamental provision to reduce families entering a crisis point and the chances of family breakdown<sup>4</sup>.**

Article 18 of the UNCRC recognises that parents have the primary responsibility for the upbringing and development of their child(ren). **Governments must provide appropriate assistance to parents so they can fulfil their parenting responsibilities<sup>5</sup>.**

The Scottish Government has committed to a transformational agenda to deliver family support in ways families need, when and where they need this, however, forces families are not named as a priority group to receive support.

**Research into the lives of forces families has consistently highlighted challenges in receiving formal family support which understands and responds to the unique circumstances in which parenting and childhood takes place<sup>6,7</sup>.** For the serving parent, research has shown that reintegration into the family following deployment is particularly difficult<sup>8</sup>. **Research shows that the challenges to family life through service separations and reintegration can have a detrimental impact on the short-, medium- and long-term wellbeing of partners and children<sup>9</sup>.**

Children and young people have told us they would like support as a family during service-related separations.

<sup>4</sup> Scottish Government, *Whole Family Wellbeing Funding – Getting it right for every child (GIRFEC)*

<sup>5</sup> UNICEF, *Convention on the Rights of the Child*

<sup>6</sup> The Centre for Social Justice (2016) *Military Families and Transition*, page 33

<sup>7</sup> RAF Benevolent Fund (2021) *Growing up in the RAF*, page 13

<sup>8</sup> DeVoe and Ross (2012) *The Parenting Cycle of Deployment, Military Medicine*, page 187

<sup>9</sup> Godier-McBard, Wood and Fossey (2021) *The Impact of Service Life on the Military Child: The Overlooked Casualties of Conflict – Update and Review Report*, pages 24, 25, 43



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The annual survey of forces spouses and partners, **FamCAS**, has reported that **nearly three in eight spouses/partners did not know where to go for welfare support while their serving spouse/partner was deployed**<sup>10</sup>. Only 30% reported being satisfied with aspects of support during deployment – and this has been decreasing since 2015<sup>11</sup>.

Forces children and young people and their families tell us that it can be difficult to access the right support at the right times. **They are reluctant to access services provided by the Ministry of Defence, such as welfare services, as they feel it may adversely affect the serving parent's career to do so.**

**It is imperative that armed forces and veteran families are actively considered in the delivery of the Scottish Government's whole family support** and involved in the design of such services. We need to see an end to the 'just get on with it' culture and foster one in which it is okay for forces families to seek support when they need it – and for them to receive support for as long as it is needed.

Another important aspect of support for families enshrined in Article 18 is the provision of childcare. **The lack of childcare, particularly before and after school and during school holidays, can result in the non-serving parent experiencing challenges when it comes to maintaining employment or obtaining the respite necessary during deployments.** This issue is far reaching, with 74% of families with a child under the age of five requiring childcare<sup>12</sup>. Impact on partner employment is cited as one of the common reasons that service personnel decide to leave the forces<sup>13</sup>.

To meet the needs of service families, **it is imperative that childcare is recognised as a right and more needs to be done to ensure that what families say they need is available in all areas, particularly where there is a large population of forces families.**

**Article 28 recognises the right of children to access education.**  
**Article 29 urges governments to ensure**



<sup>10</sup> Ministry of Defence (2023) *Tri-Service Families Continuous Attitude Survey Results 2023*, page 20

<sup>11</sup> Ministry of Defence (2023) *Tri-Service Families Continuous Attitude Survey Results 2023*, page 21

<sup>12</sup> Ministry of Defence (2023) *Tri-Service Families Continuous Attitude Survey Results 2023*, page 15

<sup>13</sup> Selous, Walker and Misca (2020) *Living in Our Shoes: Understanding the Needs of UK Armed Forces Families*, page 99

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**education develops the child's personality, talents and mental and physical abilities to their fullest potential.** 17% of families with school-age children said they had experienced a change of school for service reasons in the previous 12 months<sup>14</sup>. FamCAS reported that families who moved were more likely to experience difficulties when it came to schooling when compared with those who did not move<sup>15</sup>. This is supported by emerging research showing that service-related mobility has a negative effect on children's academic potential, with children who experience more moves, or moves at key stages, being less likely to achieve higher grades in the senior phase<sup>16</sup>.



**Some families face difficult choices when seeking to provide their children with educational stability.**

These choices include sending their children to boarding school, staying put as a family, with the serving parent travelling home when they can, or having extended family members care for the child while the rest of the family moves away. There is a scarcity of research on these choices in the context of military service and attainment.

There is a lack of information about how many young people from forces families access higher

and further education compared with non-forces children. It is acknowledged though that frequent moves across educational systems may impact on the likelihood of a young person from a forces family attending university<sup>17</sup>. More needs to be done to mitigate the barriers to forces children in accessing further education.

**Challenges can also arise for children and young people from forces families in accessing Additional Support for Learning (ASL). Children and young people from armed forces families are specifically mentioned in the Supporting Children's Learning statutory guidance as a group that may have additional support needs over and above specific learning difficulties due to service-related**

<sup>14</sup> Ministry of Defence (2023) *Tri-Service Families Continuous Attitude Survey Results 2023*, page 17

<sup>15</sup> Ministry of Defence (2023) *Tri-Service Families Continuous Attitude Survey Results 2023*, page 30

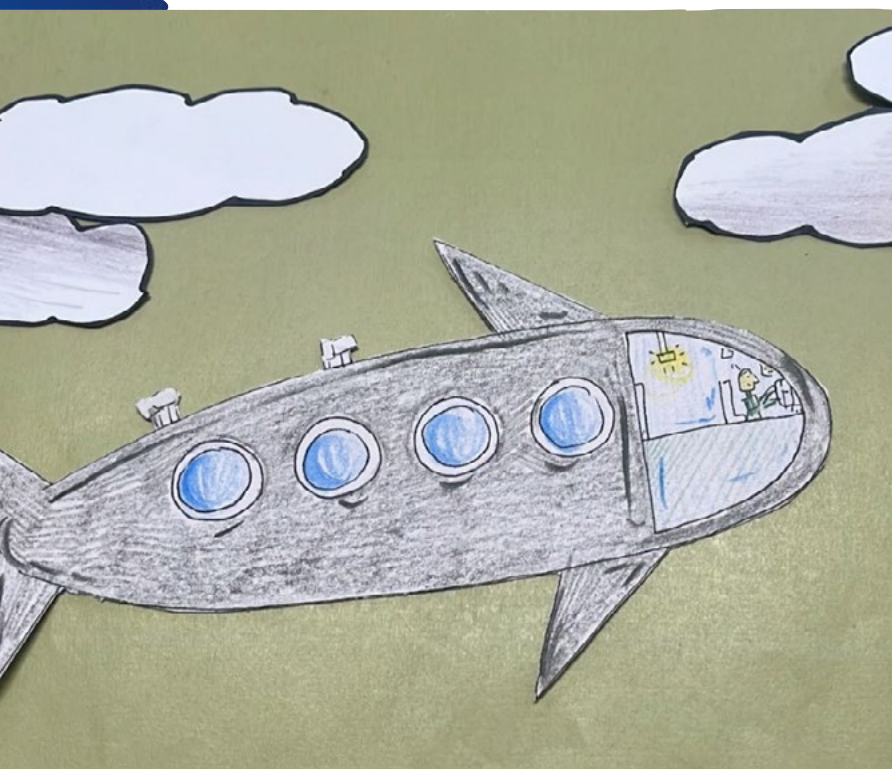
<sup>16</sup> Cotton (2024) *GCSE attainment in children from military families, (conference session), Forces in Mind Trust Research Centre Conference, 13 May 2024, London*

<sup>17</sup> Selous, Walker and Misca (2020) *Living in Our Shoes: Understanding the Needs of UK Armed Forces Families*, page 65



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**events such as deployment**<sup>18</sup>. However, children and young people have told us that these needs are often not recognised or met, which can affect their right to education and longer-term attainment. When it is recognised, it makes a significant difference to the young person. **Sometimes, specific learning challenges such as dyslexia or autism are not identified early due to frequent school moves.**



**Under Article 24 of the UNCRC, children have the right to enjoy the highest attainable standards of health and access to services and facilities for the treatment of illness and promotion of health.** Frequent moves mean that children and young people may end up at the bottom of waiting lists each time they move, resulting in delays in seeking medical advice or delays in receiving treatments for already identified health conditions. While the duties under the [Armed Forces Covenant](#) should mitigate this, it is not the experience for many families.

The additional stressors of life in an armed forces family may

lead to some children and young people having poorer mental health and they require the right support at the right time. There is a clear need for mental health and wellbeing services that understand this group's unique challenges and experiences.

**Article 27 outlines the right of every child to a standard of living adequate for their physical, mental, spiritual, moral and social development**<sup>19</sup>. While the primary responsibility to secure this rests with parents, governments should provide material assistance and support programmes, particularly in regards to nutrition, clothing and housing, when there is the need<sup>20</sup>.

<sup>18</sup> Scottish Government (2017) Supporting Children's Learning: Statutory Guidance on the Education (Additional Support for Learning) Scotland Act 2004 (as amended) Code of Practice (Third Edition), page 11

<sup>19 20</sup> UNICEF, [Convention on the Rights of the Child](#)



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57% of armed forces families live in service family accommodation (SFA). Children, young people and their families consistently raise concerns about the quality of this housing and the impact on them. Substandard conditions, such as mould, pose a hazard to health but these faults are not dealt with quickly or properly.

Children and young people have asked for schools to work with them to develop a whole-school approach.

We call on the Scottish Government to strengthen implementation of the Education (Additional Support for Learning) (Scotland) Act 2004 in relation to learners from forces families.

The UK Government and all devolved governments must work together to design and implement a robust information transfer system within education.

The UK and Scottish Governments must investigate the standard of housing provision across Scotland and work with the Ministry of Defence to make sure SFA is of a good standard for all children, young people and their families.

### RIGHTS TO PARTICIPATION

The UNCRC gives children rights to participation. These rights include:

**Article 12** Right to have the views heard and taken seriously.

**Article 13 and 17** Access to information.

**Article 31** Right to play.

**Article 15** Freedom of association.

Key to the right to participation is **access to justice** when their rights are breached. For this to happen, children must know all their rights in accordance with **Article 42**.

Children and young people from forces families feel unheard by decision-makers due to the scale of state-led decision-making that determines so much of their childhood. Concerns around security can mean there is a disconnect between the information that children from forces families want, the information given by the MOD to their non-serving parent and what their parents choose to share with them.



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FamCAS found that 62% of families felt that they did not receive information from the MOD often enough, while 55% said policies aimed at them were not communicated effectively by the services<sup>21</sup>. **Due to the nature of the serving parent's job, there is a balance to be struck between national security and the rights of children to have information.** Without the latter, it can be hard for a child to form an opinion and it can be easier for an adult to dismiss their view as not being based on all the information.

Life in a forces family can significantly impact the ability of children and young people to maintain friendships and associations, continue the leisure activities of their choice and access the play and rest they need to develop. **To mitigate this, children from forces families should be supported to maintain hobbies, interests and friendships, whether that be through the provision of transport or funding for activities, or help to maintain digital connections.**

Social and mass media pose challenges as they provide easy, instant access to information about conflicts and situations to which a parent may be deployed. Research from the United States of America indicates that this can exacerbate common stressors experienced by service children<sup>22</sup>.

Key to children's right to participate is their ability to access justice when their rights are not upheld. To ensure children and young people are able to access justice, they, and the adults who support and care for them, need to be able to recognise when their rights have been breached. Child-friendly complaints procedures must be developed across all areas identified in this report.

### TRANSITION TO VETERAN STATUS

The decision by serving personnel to leave the armed forces affects the whole family<sup>23</sup>. All members may need to think differently about housing, health, education and finances. For children, moving to civilian life can result in further disruption to their childhood and friendships, such as through another house and school move.

There is a lack of information for the non-serving members of the family, despite children and young people experiencing the same feelings and barriers as their parents during this transition<sup>24</sup>.

<sup>21</sup> Ministry of Defence (2023) Tri-Service Families Continuous Attitude Survey 2023, page 18

<sup>22</sup> Godier-McBard, Wood and Fossey (2021) The Impact of Service Life on the Military Child: The Overlooked Casualties of Conflict – Update and Review Report, page 45

<sup>23</sup> Selous, Walker and Misca (2020) Living in Our Shoes: Understanding the Needs of UK Armed Forces Families

<sup>24</sup> Children's Commissioner (2018) Kin and Country: Growing Up as an Armed Forces Child





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This experience of transition can result in children and young people feeling isolated and distant from their armed forces identity. At the same time, they can face a reduction in access to services to support them<sup>25</sup>. Some children may find themselves also navigating the challenges of becoming a young carer if their parent has been medically discharged from the armed forces. **More needs to be done to understand the experiences and views of children, ensuring Scotland is better equipped to support them at this critical moment of transition, fulfilling the ambition to be “the destination of choice for service leavers and their families”<sup>26</sup>.**

### CONCLUSION

Children and young people from armed forces and veteran families are at risk of falling through the cracks of rights protections as decisions that affect their lives are made not only by the Scottish Government and local authorities, but also by the UK Government, and particularly the MOD. It is vital that attention is paid to this group and mitigations put in place where they face barriers to their rights being upheld, on account of the systems that are not always able to meet their unique needs.



<sup>25</sup> Heaver, McCullough and Briggs (2018) *Lifting the Lid on Transition – The families’ experience and the support they need*

<sup>26</sup> Scottish Government (2022) *The Strategy For Our Veterans: Taking The Strategy Forward In Scotland – Our Refreshed Action Plan*



# THE HUMAN RIGHTS CONTEXT FOR CHILDREN FROM ARMED FORCES FAMILIES IN SCOTLAND

Human rights are incredibly important for everyone, including the more than 12,500 children and young people from armed forces and veteran families in Scotland<sup>27</sup>.

**The United Nations Convention on the Rights of the Child (UNCRC)** was created in recognition of the fact that children require special protections for their rights due to their status as children. How we support these rights needs to evolve as they mature and become more independent<sup>28</sup>.

The UNCRC has four guiding principles, which underpin each and every specific right outlined. These are:



Non-discrimination



The best interests of the child



The right to life, survival and development



Respect for the views of the child

All rights within the UNCRC should be interpreted through this lens.

The Convention is a legally binding instrument to ensure children realise their full range of civil, cultural, economic, political and social rights. The first 42 articles present the basic standards countries must meet to ensure the **provision** of resources, children's **protection** and their **participation**.

This report will consider the how the rights of children and young people from armed forces and veteran families are affected across the three categories of provision, protection and participation.

The United Nations Committee on the Rights of the Child (CRC) is the body of 18 independent experts who monitor the implementation of the UNCRC by the governments who have ratified it.

The CRC has adopted 26 General Comments to date and is drafting a 27th, on children's access to justice. The comments focus on issues relating to children that the CRC believes governments should devote more attention to. The General Comments provide guidance on the care and proper treatment of children based on the entire legal framework provided by the UNCRC.

All governments which have ratified the UNCRC are reviewed by the CRC on a regular basis. The concluding observations are the main outcome of a country session. With the concluding observations, the CRC assesses the government's human rights record and recommends measures to enhance the implementation of the UNCRC.

<sup>27</sup> MacLeod, Short and Matthews-Smith (2022) *Rallying to the Flag - A Consolidated Picture of Armed Forces Children's Education in Scotland in 2021: Laying Foundations & Promoting Development*, page 5

<sup>28</sup> UNICEF, *Convention on the Rights of the Child*



The CRC states in its General Comment No. 14 that: “Children have less possibility than adults to make a strong case for their own interests and those involved in decisions affecting them must be explicitly aware of their interests. If the interests of children are not highlighted, they tend to be overlooked<sup>29</sup>.”

## A RIGHTS-BASED APPROACH FOR CHILDREN FROM ARMED FORCES AND VETERAN FAMILIES

While the Convention on the Rights of the Child makes no explicit reference to children and young people from armed forces families, its provisions apply to them as children and as a group who experience a greater risk of their rights not being promoted.

Children and young people from forces families are not a homogeneous group. Their parents serve in different branches of the armed forces and in different roles. They have different experiences of postings, deployment and transitioning across countries and out of service. These experiences affect each child and young person differently. The children and young people are diverse in many areas, including age, sex, ethnicity, indigenous identity, nationality, disability, sexual orientation and gender identity/expression. The impact of their experiences on their rights will be different in terms of risk and need.

When it comes to children and young people from armed forces and veteran families, **Scotland and the UK must understand and consider their unique childhoods to ensure everything possible is being done to protect and promote their rights.** A report by the Children’s Commissioner in England highlighted:

**“Whether they were aged eight or 15, it was clear from all the children we spoke with that their parents’ service in the armed forces had an all-encompassing influence on their childhoods<sup>30</sup>.”**

Children within this community often experience high levels of mobility, meaning they can move around the UK and beyond repeatedly throughout their childhood due to the role of their serving parent<sup>31</sup>. Likewise, the very nature of service can cause frequent or long separations between the child and their parent during deployments or other military-related events such as residential courses<sup>32</sup>.

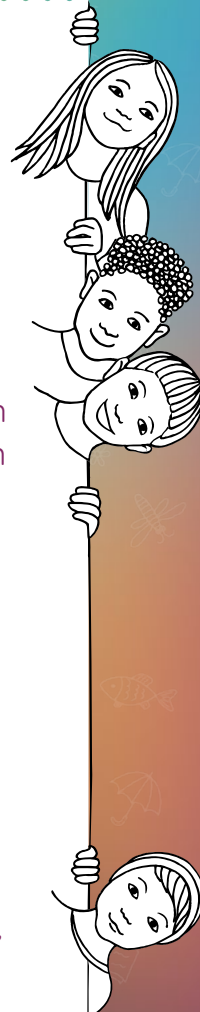
“It’s not just his job, it’s our whole lives”

29 United Nations Committee on the Rights of the Child (2013) General Comment No. 14, page 10

30 Children’s Commissioner (2018) Kin and Country: Growing Up as an Armed Forces Child, page 3

31 Godier-McBard, Wood and Fossey (2021) The Impact of Service Life on the Military Child: The Overlooked Casualties of Conflict – Update and Review Report, page 51

32 McConnell, Thomas, Boshier and Cotmore (2019) Early Support for Military-Connected Families: Evaluation of Services at NSPCC Military Sites, page 10



**When considering how to make a difference to the unique lives of children and young people from armed forces families, we need to take a rights-based approach;** one that ensures respect for them as rights holders. We must ensure that the process of realising children's rights is as important as the end result. We must build both the capacity of the children and young people to claim their rights and the capacity of duty bearers to fulfil their obligations to children<sup>33</sup>.

Fundamental to a rights-based approach is hearing and acting on the views of children and young people. Each year, the MOD sends a survey to serving personnel, called the Armed Forces Continuous Attitude Survey (AFCAS), and one for them to pass on to their spouses/partners, called the Tri-Service Families Continuous Attitude Survey (FamCAS), which seeks their views on all aspects of forces life. FamCAS is one of the main ways the MOD gathers information on the attitudes and experiences of service families. **There is no mechanism to hear directly from children and young people, therefore, it is a challenge to understand if actions being taken are getting things right for them.**

If we get it right for each child and young person, we will also get it right for their parents, both serving and non-serving and, ultimately, we will get it right for everyone connected with the armed forces.

## LEGISLATIVE CONTEXT

The UNCRC Incorporation (Scotland) Act 2024 (the UNCRC Act) and the proposed Human Rights Bill are examples of how human rights culture in Scotland is changing to make the country a better and fairer place for children and young people.

**Article 4 of the UNCRC** says governments “**shall undertake measures to the maximum extent of their available resources with regard to economic, social, and cultural rights**”<sup>34</sup>. **A plan for the progressive realisation of the rights of children and young people from armed forces and veteran families needs to be built into budget and policy planning at a UK and Scottish Government and local authority level.** This will ensure available resources have the greatest impact for these children and young people, whose rights are more at risk.

The Armed Forces Covenant and its associated Duty go some way towards using available resources to the maximum extent and strengthening protections for these children but with the commencement of the UNCRC Act, **we need urgent clarity about how the UK and Scottish Governments and local authorities will protect against any potential disruption to the fulfilment of their rights.**

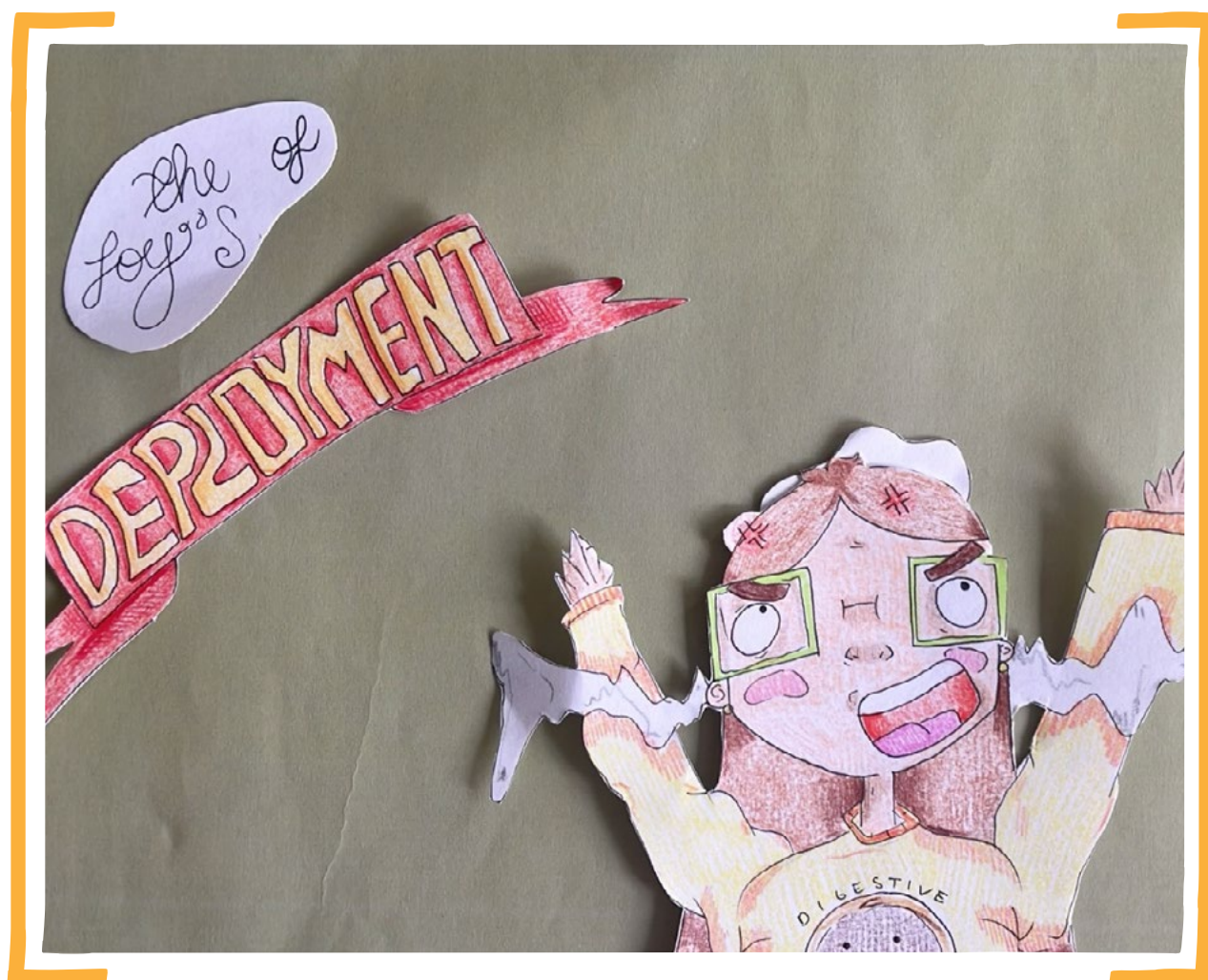
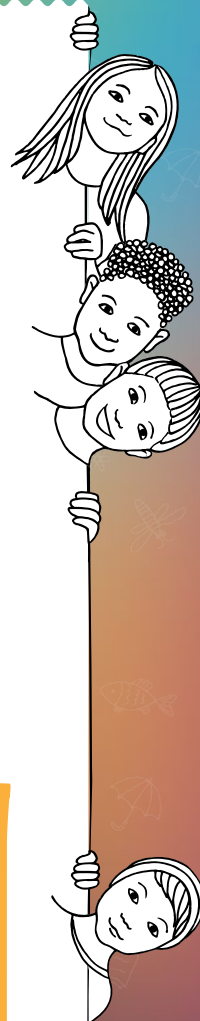
**The UK Government and MOD are not bound by the Act and it is they who make many decisions that affect the rights of children and young people from armed forces and veteran families.** While this might mean these children and young people will not be able



to access the legal redress created by the UNCRC Act, it is hoped they will benefit from the culture change that follows incorporation<sup>35</sup>. This report will suggest ways in which the UK Government and MOD can do more to protect and promote the rights of these children and young people.

**The Scottish Government must do all it can, within its devolved powers and in compliance with the UNCRC Act, to protect and promote the rights of children from armed forces families.** This report will demonstrate areas within devolved powers where change is needed. They include education and healthcare policy and delivery.

**Scottish local authorities will have much of the burden of delivering support for children and young people from armed forces families** as both duty bearers under the UNCRC Act and under the Armed Forces Covenant Duty. This report will highlight areas in which more needs to be done by local authorities to ensure these children's rights are protected and promoted.



35 Kil Kelly, Lundy (2020) Does legal incorporation of the UNCRC matter? University College Cork



## IMPLEMENTATION OF THE UNCRC AND THE ROLE OF DATA



The collection of data about children’s experiences is integral to creating a world that supports their childhood and helps them thrive. The collection of sufficient and reliable data about children also helps identify their experiences of inequality and ensure their rights are upheld – a critical component of any government attempting to embed children’s rights<sup>1</sup>. General Comment No. 5 on the general measure of implementation of the UNCRC stresses that the collection of data is not enough – the data collected must be evaluated and used to assess progress in implementation to identify challenges and inform policy development<sup>2</sup>.

There is a lack of data about the lives of children in armed forces and veteran families, therefore, a lack of understanding about their outcomes in Scotland, leading to challenges in developing evidence-based policy and practice that is reflective of their evolving experiences<sup>3</sup>. The Scottish Government does not publish national, disaggregated data on the number of children in forces families or their educational outcomes, despite being identified as a group requiring additional support for learning<sup>4</sup>. While attempts have been made to understand the breakdown of forces children in schools, there is no standardised data collection process and it relies on self-identification. The lack of data is a barrier to developing policy and services that meet children’s needs. This lack of data collection and research into their specific experiences also contributes to some children and young people feeling that they are forgotten about when it comes to policymaking.

The absence of data contributes to these children being invisible, which leads to policies and measures that do not consider their needs in their own right. Children are largely absent from documents such as the Armed Forces Family Strategy and the Haythornthwaite review of Armed Forces incentivisation. If we know that many of those leaving the Forces early are doing so because of the impact of service life on their families, then we need to ensure that policies related to families have children at the centre. This will be achieved only if we have the right data on these children’s experiences and if we consider their needs separately and distinctly from their parents/carers, families and the needs of the service.

The CRC’s concluding observations in 2023 called on the UK and devolved governments to improve the collection and analysis of data across all aspects of the convention about children in disadvantaged situations<sup>5</sup>. This report demonstrates that children and young people from armed forces and veteran families should be considered as being in a disadvantaged situation in relation to their rights.

1 Berry, Davidson, Gianni, Tisdall and Wason (2022) *Theory of Change for Making Rights Real in Scotland*, page 40

2 United Nations Committee on the Rights of the Child (2003) *General Comment No. 5*, page 12

3 Together (Scottish Alliance for Children’s Rights) (2023) *State of Children’s Rights in Scotland*, page 48

4 MacLeod, Short and Matthews-Smith (2021) *Rallying to the Flag: A Consolidated Picture of Armed Forces Children’s Education in Scotland in 2021: Laying Foundations & Promoting Development*, page 42

5 UN Committee on the Rights of the Child (2023) *Concluding Observation 12(b)*, page 4



## IMPLEMENTATION OF THE UNCRC AND THE ROLE OF DATA

✓ Scotland must now consider the steps that can be taken to build a stronger evidence base about the experiences of children and young people from armed forces families. Beyond better understanding their experiences and views, collecting robust disaggregated data will also help Scotland to ensure that the rights of this community are upheld and that policies created to improve their lives are implemented fully, such as the Armed Forces Covenant Duty.

The Scottish and UK Governments should consider how national data collection, including the collation of administrative data, can help decision-makers understand the outcomes of children and young people from armed forces families and how they interact with public services, especially across health, housing, and education. This should include consideration of how families can be supported to declare their armed forces identity. 📌





# RIGHTS TO PROTECTION

Protection rights ensure that children are protected from actions that threaten their dignity, survival or development. These actions are, in the main, carried out by adults and institutions.

These rights include Article 2, non-discrimination; Article 9, to not be separated from their parents; Article 3, for all decisions made about children to have their best interests as a primary consideration; and Article 16, to be protected from arbitrary or unlawful interference with their privacy, family home or correspondence.

Children and young people from armed forces families often face barriers to their protection rights due to their parent's service. This can include feeling discriminated against in their schools and communities, having decisions made about a parent's employment which they feel do not consider their best interests, being separated from a parent for long periods – sometimes with little or no contact – and having their privacy compromised by living on a base or having their messages to their absent parent vetted or redacted by the MOD.

In short, children from armed forces families often experience unintended consequences on their protection rights from their parents' service, in ways no child should be expected to bear.

 My mum is in the Navy and works on the submarines. She has done this my whole life and it is all I know. I am so proud of her because you know she is making people's lives better. 



It isn't always easy though. I have had to move a few times now, though not as often as some of my friends who have parents in the Army. Every time I move, it means leaving friends and schools and starting again somewhere else. This can be exciting, getting to know somewhere new and meeting new people; sometimes being the new person makes you interesting. But it can be hard making new friends when they know you come from a forces family. They assume you will be moving again, so don't want to make the effort to get to know you, or they already have lots of friends they have known for years. They sometimes make fun of me as the new person and because the only thing they know about me is that my mum is in the Navy, they use that. They make war jokes, say my mum is scary and likes to kill people and they tease me about not having a mum when she is away.

No one understands what it feels like when your parent is deployed. Before she goes, you know she is about to be deployed but you don't know exactly when. You spend the whole time waiting and then when it happens, it happens so fast. You don't know how long she will be away and because she is on a submarine, once she is gone, I won't have any contact with her again until she is home. The longest she has been away was seven months and that time she missed my birthday and my school show. It feels like the Navy never thinks about how it might affect me ✓





## RIGHTS TO PROTECTION

and my younger brother and sister and, as a family, we don't get all the support we need. I get some support from school and because there are lots of navy children, they understand what I need. My friend who is the only forces child at her school doesn't get anything. A lot of the time, it feels like we are just expected to get on with it.

As a family, we can send mum a 120-word message each week. This message is read and sometimes has things taken out by the MOD. We must be careful not to say anything that will upset my mum or anything that is too happy that it might distract her from her work. If we do, it might not be passed on. We know that what we write will be read by other people, not just her, so we don't really say anything too personal.



When I was younger, I could never remember the things I really wanted to tell her by the time she came back and it felt like I didn't know her, and she didn't know me. We would all take a long time to adjust to her being back and it didn't feel like there was any help from anyone to do that.



## PROTECTION FROM SEPARATIONS FROM THE SERVING PARENT

### The rights context - Article 9

Under Article 9 of the UNCRC, children have a right to not be separated from their parents against their will and, if they must be, they have a right to maintain relationships and regular direct contact<sup>36</sup>.

When considering each article, it is important to remember that rights are indivisible and interdependent. Article 9 should be read in the context of the preamble which outlines the role of parents and families in the upbringing of a child.

“Convinced that the family, as the fundamental group of society and the natural environment for the growth and wellbeing of all its members and particularly children, should be afforded the necessary protection and assistance so that it can fully assume its responsibilities within the community. Recognising that the child, for the full and harmonious development of his or her personality, should grow up in a family environment, in an atmosphere of happiness, love and understanding<sup>37</sup>.”

It should also be considered alongside the articles relating to the responsibilities of parents, including Article 8, which protects the right to the preservation of identity – including family relations and to be reconnected with family if these relations are disrupted – and Article 7, which enshrines children's right to know and be cared for by their parents.



## RIGHTS TO PROTECTION

CRC records in relation to the drafting of Article 9 indicate that the two examples given within Article 9(1) are not exhaustive. The CRC has provided other examples, including children affected by armed conflict and those separated due to one or both parents working abroad<sup>38 39</sup>. While children from armed forces families are not explicitly mentioned within the UNCRC, CRC records or other documentation, the intent of the article is to ensure that the best interests of the child are considered when they will be separated from a parent, and that everyone affected is given the opportunity to participate in decision-making and make their views known.



General Comment No. 7 discusses situations that are most likely to impact negatively on young children, including experiencing disrupted relationships, including enforced separations<sup>40</sup>. Again, while children and young people from armed forces families are not mentioned, this is what they experience when they face frequent or lengthy separations through deployments or postings, sometimes with restrictions on the frequency of contact.

### **Family life in the armed forces**

The right to the preservation of family relations is at risk for children and young people in armed forces families. Not only do they face frequent or lengthy separations, they may not be able

to contact their parent for security, time zone or connectivity reasons when the parent is deployed, or their parent may be posted a long way from where they live, meaning they cannot return home as frequently as anyone in the family would like.

Being with your parent or guardian while growing up is extremely important to children, with the family being the centre of their lives. Separation from parents can be tough for children and young people of all ages, not just younger children. Parents play different roles in families and when a parent is missing for extended periods, children and young people miss out on the role that parent plays, such as helping with specific school subjects or taking their children to after-school activities. Each parent may offer different expressions of emotional security and safety or play with them in different ways. For the remaining parent, there can be pressure to fulfil both of those roles, causing challenges to their mental health and wellbeing.

38 Walen, C (2022) Article 9: The right not to be separated from parents, in Vaghri, Zermatten, Lansdown & Ruggiero (2022). Monitoring state compliance with the UN Convention on the Rights of the Child, chapter 14

39 UNICEF (2007) Implementation Handbook For The Convention On The Rights Of The Child, page 125-126

40 United Nations Committee on the Rights of the Child (2005) General Comment No. 7: Implementing child rights in early childhood



## RIGHTS TO PROTECTION

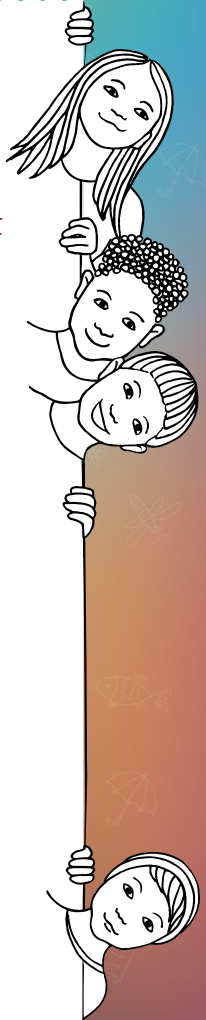
The 2023 FamCAS findings noted that only 16% of families experienced no separation in the previous year<sup>41</sup>. A quarter of spouses and partners felt that operational tours were too frequent<sup>42</sup>.

3.5% of children from forces families in Scotland have more than one serving, reservist or veteran parent<sup>43</sup>. Children from dual-serving families face all the challenges described below, but with greater frequency. While guidelines support dual-serving parents not being deployed at the same time, there are occasions when the needs of the service dictate this happens. This can lead to greater disruption for the child or young person, including a change of school when they move to stay with extended family members for the duration of the deployment. Where deploying at the same time has been avoided, it can mean that the serving parents are deployed consecutively, resulting in one parent leaving almost immediately after the other has returned. Little is known about the impact on children of having dual-serving parents.

The children affected by any form of parental separation due to service life do not have the opportunity to make their views known and do not have access to child-friendly information that explains how and why decisions have been made.

### Separation due to deployment

Children from armed forces families, including reservists, can experience being separated from their serving parent due to deployment. For some, these separations can be frequent and lengthy. Prolonged or frequent separation from a parent has been shown to cause detriment to a child's development<sup>44 45</sup>. There is limited empirical evidence in the UK context of the consequences of separation due to military service, however, reports that capture the voice and experiences of these children and young people demonstrate its felt impact<sup>46 47 48</sup>.



Deployment is when a serving person goes away to work. Sometimes it's to places like Afghanistan and it can be for up to seven months. Depending on where they are working and what they're doing, we can get in touch with them but sometimes all we can do is send a 'bluey', which is a letter to a serving person. It can be hard getting to know them again when they come back from deployment.

Erin



41 Ministry of Defence (2023) Tri-Service Families Continuous Attitude Survey 2023, page 3

42 Ministry of Defence (2023) Tri-Service Families Continuous Attitude Survey 2023, page 20

43 MacLeod, Short and Matthews-Smith (2022) Rallying to the Flag: A Consolidated Picture of Armed Forces Children's Education in Scotland in 2021: Laying Foundations & Promoting Development

44 Lee and Bax (2000) Children's reactions to parental separation and divorce, PMC (nih.gov)

45 Centre for Social Justice (2016) Military Families and Transition, page 56

46 RAF Benevolent Fund (2021) Growing up the in RAF, pages 11 and 13

47 Godier-McBard, Wood and Fossey (2021) The Impact of Service Life on the Military Child: The Overlooked Casualties of Conflict - Update and Review Report, pages 15-41

48 Children's Commissioner (2018) Kin and Country: Growing Up as an Armed Forces Child, pages 10-14.



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Children and young people specifically raised the issue of a serving parent missing big events such as birthdays and Christmas. These are particularly important times for them and the absence of the parent is a big challenge.



“My dad is in the Navy. Because [of this] he was away for Christmas, my birthday and New Year 😞”

Alex

The children and young people understand why their parent has to be away and that deployments may need to be extended. It is the lack of information they find difficult.

“If they can't [come home when we are expecting them] we need to know why. That's not happening and support is not there.”

Perry



### MOD guidelines on deployment

The MOD's Harmony Guidelines outline how long Service personnel can be away from base over a 36-month period. This advice differs across services. Royal Navy and Royal Marines should not be away for more than 660 days (60% of the period), with 498 days (45%) for the Army and 468 days (43%) for the Royal Air Force<sup>49</sup>. Separation is more likely for Royal Navy and Royal Marine families, with 41% reporting being apart for more than three months in the previous year, compared with 28% for Army and Royal Air Force families.



My dad left for work in the Submarine for 6 months, have a year.

Royal Naval personnel are deployed more often than the other branches and tend to be away for longer periods, as much as up to nine months<sup>50</sup>. For certain families, such as Naval personnel on submarines, they might have little to no contact with the deployed parent for long periods. Children may not be able to speak to their parent for six months or longer.

The Harmony Guidelines were developed with reference to independent academic and other public health bodies to ensure that the impact on both the serving person and their family was considered. The advice acknowledges that while the needs of the Service must come first, the needs of the family must come a very close second. Consideration around the needs of children and young people are not specifically mentioned in the guidelines, meaning their individual needs may not be considered beyond those of their parent or family unit.

<sup>49</sup> Ministry of Defence (2023) Quarterly service personnel statistics: October

<sup>50</sup> Godier-McBard, Wood and Fossey (2021) The Impact of Service Life on the Military Child: The Overlooked Casualties of Conflict - Update and Review Report, page 16



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### Maintaining contact during deployments

Children and young people can often only contact their parent via email or mobile phone. **It is vital that children and young people have access to digital technologies to retain contact with their serving parent when direct contact is not possible<sup>51</sup>.** However, the CRC states that, whenever possible, the use of digital devices should not be a substitute for in-person interactions between children and parents<sup>52</sup>. Thought is required for very young children in finding the balance between supporting their relationship with both parents, which is crucial to forming healthy attachments and shaping their development<sup>53</sup>, and the challenges concerned with the time spent exposed to screens<sup>54</sup>.



Deployment should not be over six months, especially if toddlers are being raised in the military. When my dad came back from deployment I couldn't remember him. Kai



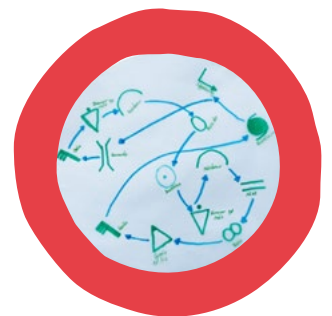
My dad only goes underwater so I don't see him for months at a time for example he's been gone since August and isn't supposed to be back until March, which is 7 months. Sidney



### Impact on children and young people

Children and young people frequently say that separation is one of the most difficult aspects of having a serving parent<sup>55</sup>. The impact of deployment differs depending on the child's age and which branch of the Services their parent is with. Younger children experience sadness and miss the physical presence of a parent<sup>56</sup>. In extreme cases, this can present as challenging behaviour and toileting regression. For older children, separation can create anxiety and worry about a parent's safety. The evidence suggests that maintaining contact via social media can mitigate the effects of being apart<sup>57</sup>.

Given that children and young people feel the effects of separation, especially when there are changes to the length of deployment or limited or no contact, **the Harmony Guidelines must make explicit instruction to consider the needs of children.**



Drawings by two children mapping out how they felt when a parent was on deployment

51 52 53 OHCHR, United Nations Committee on the Rights of the Child (2021) General Comment No. 25 on children's rights in relation to the digital environment

54 Nelson C, Babies need humans, not screens, UNICEF Parenting

55 56 Children's Commissioner (2018) Kin and Country: Growing Up as an Armed Forces Child, page 10


57 Godier-McBard, Wood and Fossey (2021) The Impact of Service Life on the Military Child: The Overlooked Casualties of Conflict - Update and Review Report, page 27-28



## Separation due to postings or training

Armed forces families can face tough choices due to MOD decisions about postings. The frequency with which families experience a change in postings varies across the Services, with those in the British Army potentially having a new posting every two years. One survey found 22% of families had moved for service reasons in the previous year<sup>58</sup>. Officer families are more mobile than those of other ranks, with 50% having moved twice or more in the previous five years<sup>59</sup>.

Service and role-specific residential training requirements can also mean personnel move to another base for a lengthy period. Both new postings and training courses can be important to their career progression and decision-making influenced by this. For many children and young people, a new posting or training exercise will result in separations from their serving parent.

 I want to talk about postings and children and young people having to live apart from a parent due to them serving in the armed forces. A serving person is given a posting detailing where they are going to work. This can be in any part of the UK or where there are bases abroad. The posting depends on where the serving person is needed for work. Some postings are for 18 months or two years.

Sometimes people are posted to the same area more than once. Serving personnel can request certain ‘posts’ but they are not guaranteed them and get sent where they are needed.

Depending on the family’s circumstances, they may decide not to move to the place where the serving person is going to be working. This might be because of the child’s education (they might be about to sit exams) or their partner can’t find work there. Every family is different! When a family doesn’t move, then the serving person goes ‘married unaccompanied’. This means they leave their family behind and visit at weekends. They might visit every week, once a month or less often depending on where they are posted to. This means the children have only one parent most of the time.

For example, for me, my dad was a 10 to 11-hour drive away from us. When he came home on a Friday for a weekend, he was exhausted and slept most of the next day. On the Sunday he was getting ready to go back to work. Not everyone understands that this is something a serving person has to do because of their job.

Grace

## Coming home for weekends or less frequently

Many armed forces families choose for their children to stay put and for the serving person to come home from their base when they can, commonly known as weekending. FamCAS does not ask specific questions to establish the proportion of families weekending or the impact this has. The ‘Living in our Shoes’ report describes families’ views of the cost of providing

58 Ministry of Defence (2003) Tri-Service Families Continuous Attitude Survey Results 2023, page 3

59 Ministry of Defence (2003) Tri-Service Families Continuous Attitude Survey Results 2023, page 6

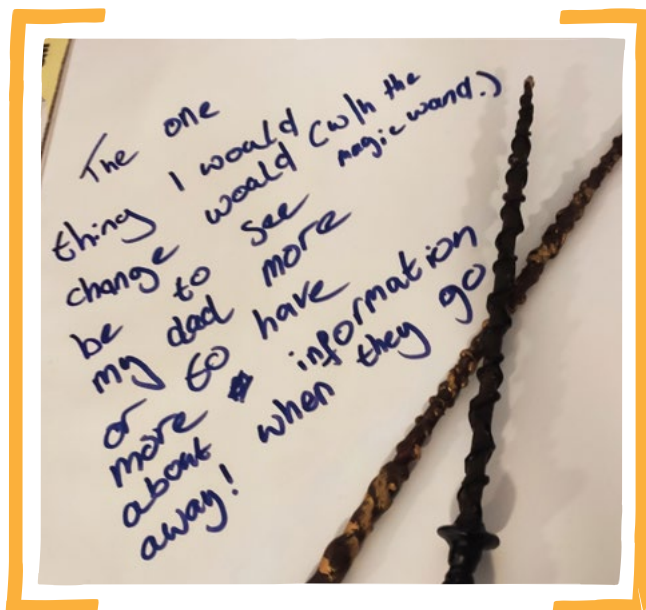




## RIGHTS TO PROTECTION

greater stability through weekending as creating anxiety for children, disruption to family routines and experiencing a lack of compassion by the MOD when postings are allocated<sup>60</sup>.


Research has shown that non-operational separations can have a negative impact on family functioning, including changing family roles, limited quality family time and resentment over unequal distribution of household responsibilities. Accumulation of these stressors can affect family mental health and wellbeing<sup>61</sup>.

Many families have told us the cost-of-living crisis and rate of inflation affected the ability to come home as frequently as they would like. This is particularly the case for those in non-officer ranks. For some, the distances involved create additional barriers and reduce the quality of the visit due to the length of time they spend travelling.



 I want to talk about my experience of my dad working away from home because he is posted to England. It varies loads when he can come home to visit us. Sometimes he can come back for three days and then he's away for three days, or weeks or two months. 

Everyone thinks that when a parent comes home it would be a very happy time, and it is, but some young people get annoyed as their parent does things differently than you've been used to, or you get into trouble for not doing something you thought they would do now they're home.

They might also get annoyed for being too tired to do an activity with them. Some young people find it hard to adjust when their parent is back and wonder why they would bother when they're just going away again." 

Christina

### Impact on children and young people

Little is known about the impact on very young children of separation due to service and they remain overlooked in terms of educational, social and armed forces policy. The CRC's General Comment No. 7 outlines the features of early childhood which make it a critical period for realising children's rights<sup>62</sup>.

For young children from forces families, experiencing separations and challenges in maintaining regular and direct contact with their serving parent mean the following necessities of early childhood can be disrupted:

<sup>60</sup> Selous, Walker and Misca (2020) *Living in Our Shoes: Understanding the Needs of UK Armed Forces Families*, page 67

<sup>61</sup> Gribble and Fear (2019) *The effect of non-operational family separations on family functioning and well-being among Royal Navy/Royal Marines families*, pages 34 and 49

<sup>62</sup> United Nations Committee on the Rights of the Child (2006) *General Comment No. 7: Implementing Child Rights in Early Childhood*



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In the early years, they form strong emotional attachments to their parents, from whom they seek and require nurturance, care, guidance and protection.

It is the foundation for their physical and mental health, emotional security, cultural and personal identity, and developing competencies.

Their living conditions, family organisation, care arrangements and inclusion in education systems all shape their growth and development.

The beliefs about their needs, proper treatment and role in family and community are shaped during this time. This also affects their growth and development<sup>63</sup>.

The CRC notes that: “Young children are especially vulnerable to adverse consequences of separations because of their physical dependence on, and emotional attachment to, their parents/primary caregivers. They are also less able to comprehend the circumstances of any separation<sup>64</sup>.” Governments are urged to take all necessary steps to reduce harmful disruptions in parental caregiving<sup>65</sup>.

For children who have experienced regular and lengthy separations from their serving parent from an early age, they tell us that they learn to “get on with it”. They were shocked to learn they have the right to be supported to maintain contact with their parent. For them, the negative impact of a parent’s service on their living conditions, family life, care arrangements and maintaining their relationship with their serving parent is “just part of being in a forces family”.

Children of reservists can also face deployment-related separations from parents. These children face the same worries and anxieties about their parent’s safety during deployments but are less likely to receive support due to the irregular nature of deployments and the likelihood that these children are not identified as being from a forces family.

**More needs to be known about the impact of service-related separation on very young children and children of reservists. More needs to be done to identify mitigations for the effects of separation for all children to promote their best interests.**





## PROTECTION OF CHILDREN'S BEST INTERESTS

### The rights context - Article 3

Article 3 gives children the right to have their best interests assessed and taken into account as a primary consideration<sup>66</sup>. Best interests are explicitly mentioned in other articles, including separation from parents, family reunification and parental responsibilities, but as a guiding principle we should interpret all rights through this lens. The CRC stresses that it is essential to determine the child's best interest when there is the potential separation of a child from their parent<sup>67</sup>.

The CRC's General Comment No. 14 states that a child's best interest is a threefold concept<sup>68</sup>:

- A substantive right that creates an intrinsic obligation.
- A fundamental interpretive legal principle, meaning that where it is open to interpretation, the one that most effectively serves the child must be chosen.
- A rule of procedure, meaning that whenever a decision is to be made that will affect a specific child or identified group of children, the decision-making process must include an evaluation of the possible impact (positive or negative) of the decision on the child or children concerned<sup>69</sup>.



Our influencing strategy, 'A Force for Meaningful Change', calls on the MOD and the Scottish Government to conduct a Child Right Impact Assessment (CRIA) on any policy that has the potential to affect children from armed forces and veteran families, and consider what steps they will take to mitigate any impact on the child. Children and young people from forces families must be involved in the creation and review of CRIAs.

There may be a perceived clash between the rights of children from armed forces families and their best interests and the issue of national security and the Service. In a democratic society, the question could be: "Do the rights of the few outweigh the rights of the many?" A key commitment of the UNCRC is that rights are rights – they are entitlements, not options. When some sacrifice is required, the distribution of rights should be fair<sup>70</sup>. Children and young people from forces families tell us that it does not feel fair and they do not feel heard.

<sup>66</sup> UNICEF, Convention on the Rights of the Child

<sup>67</sup> United Nations Committee on the Rights of the Child (2013) General Comment No. 14, page 15

<sup>68 69</sup> United Nations Committee on the Rights of the Child (2013) General Comment No. 14, page 4

<sup>70</sup> Theobald (2019) UN Convention on the Rights of the Child (2019) "Where are we at in recognising children's rights in early childhood, three decades on...?", International Journal of Early Childhood (springer.com)



When considering the best interests of the child, General Comment No. 14 urges governments to be mindful of the short-, medium- and long-term effects of actions on the development of the child over time<sup>71</sup>. Research tells us that separation from a parent affects children’s development in the short, medium and longer term<sup>72</sup>. While decisions about postings, residential courses, training exercises and deployments do not directly concern children, evidence supports that these decisions have a major impact on them<sup>73</sup>, therefore their best interests must be a primary consideration.

When children’s best interests are in conflict with other interests and a suitable compromise cannot be found, as is the case with children from forces families and the service-related separations they experience, then in weighing up the rights of all concerned, the child’s interest must have a high priority and not just be one of several considerations.

**“Viewing the best interests of the child as ‘primary’ requires a consciousness about the place that children’s interests must occupy in all actions and a willingness to give priority to those interests in all circumstances, but especially when an action has an undeniable impact on the children concerned<sup>74</sup>.”**

The CRC further states that when this is the case, “a greater level of protection and detailed procedures to consider their best interests is appropriate”<sup>75</sup>. Forces Children Scotland recognises that this will require careful consideration to strike the necessary balance between considering the best interests of the child and the operational necessities of maintaining the armed forces. It is important that children are involved in the determination of their best interests in relation to service-related separations as this will support them to understand the process, identify possible sustainable solutions and be clear about why decisions have been made when they are not in their best interests.

<sup>71</sup> [United Nations Committee on the Rights of the Child \(2013\) General Comment No. 14, page 6](#)

<sup>72</sup> [Godier-McBard, Wood and Fossey \(2021\) The Impact of Service Life on the Military Child: The Overlooked Casualties of Conflict –Update and Review Report, page 25](#)

<sup>73</sup> [Children’s Commissioner \(2018\) Kin and Country: Growing Up as an Armed Forces Child, pages 10-11](#)

<sup>74</sup> [United Nations Committee on the Rights of the Child \(2013\) General Comment No. 14, page 10](#)

<sup>75</sup> [United Nations Committee on the Rights of the Child \(2013\) General Comment No. 14, page 7](#)



## RIGHTS TO PROTECTION

### Impact on children and young people

Children and young people from forces families feel their best interests are not considered, not only in relation to deployment but also when it comes to new postings, lengthy residential courses, training exercises or moving to civilian life.



We don't get a choice when our parents are deployed.

Robin



I feel that parents in the military do go on deployment because they are needed but I believe there could be a certain amount of months they can go for before they come back for a bit and go again, as parents being away from their parents for long periods of time can affect their relationship.

Aaliyah



Deployment can be a harsh process, but it is necessary. Our right should always be there and protected.

Nick



The children and young people we have spoken to recognise that service-related separation and the balance between operational need and their best interests is a wicked problem. They have asked for a maximum time for deployments, residential courses or training exercises to be imposed and an increase in the frequency and length of breaks during periods of separation. They have also asked for more communication from the MOD. Fundamentally, they want to understand why decisions have been made and to know how their needs have been considered, particularly when they have not been met.



The minimum they go away for is six months. There needs to be a maximum time and breaks. I want some more communication and to know the why!

Jules



**We urge decision-makers to conduct a review of the Harmony Guidelines and other policies and advice relating to postings and extended residential training courses to ensure there is direct instruction to consider the impact on children, and that any possible mitigations are considered and implemented.** The Harmony Guidelines should be strengthened by including specific reference to children's best interests and detailed procedures which show how the best interests of the children of those being deployed must be considered. It should not be left to the non-serving parent or family member to identify and implement any mitigations.



I didn't know this right. This upsets me as this happens to us all the time.

Kerry



## RIGHTS TO PROTECTION

The 'Get You Home' payment is designed to help with the cost of travel when returning home from a posting to see family<sup>76</sup>. 'X-Factor' remuneration reflects the uniqueness of a career in the armed forces and is included in personnel pay to reflect the positives and negatives of this<sup>77</sup>. **The Get You Home payment and X-Factor benefit should be reviewed to ensure they are sufficient** to help those posted or attending long-term training away from home to return with a frequency that is best for their children. Consideration should be given to higher rates of Get You Home payment for those with very young children to support healthy attachment and the best start possible.

## PROTECTION FROM STIGMA AND DISCRIMINATION



### The rights context - Article 2

The UNCRC states that no child should be discriminated against because of the situation or status of their parents (Article 2)<sup>78</sup>. Yet children and young people from forces families can feel unsupported and 'different' because of their parent's service. They may experience bullying and harassment from their peers or the community in which they live, or experience difficulties in school. They are at risk of developing emotional difficulties that negatively affect their development and future. For some, their material situation and household will change in the short or long term due to parental deployment or postings. This may mean they take on additional responsibilities and caring roles. They often live in fear and are anxious and worried about their parents.



### Impact on children and young people

Children and young people tell us they have felt discriminated against because they are, or were, part of a forces family. This was particularly evident when they were new to a school or area, or when they transitioned to civilian life.

More needs to be done to educate the wider community about the strengths that children and young people from forces families bring to their new settings, as well as informing people about the challenges they face. Research has shown that children who attend schools where there is a good understanding about military life face less discrimination and bullying<sup>79</sup>.

 I feel that when you go to a new school after moving, you're kind of left to settle with no help. It was very hard making new friends when people had been friends for years. In the past people could be mean or make fun of you for not having a parent for a period of time. 

Aaliyah

 People easily make war jokes about when dad goes to deployment because they don't understand. 

Evelyn

 People don't always understand what it's like to be in forces child. 

Sumer

<sup>76</sup> JSP 752 -Tri-Service regulations for expenses and allowances

<sup>77</sup> RAF Families Federation (2018) Service pay explained: the X-Factor

<sup>78</sup> UNICEF UK, The United Nations Convention on the Rights of the Child

<sup>79</sup> Godier-McBard, Wood and Fossey (2021) The Impact of Service Life on the Military Child: The Overlooked Casualties of Conflict - Update and Review Report, page 70



Forces Children Scotland calls for all Scottish schools to co-produce a whole-school approach to supporting forces children.

## PROTECTION OF PRIVACY

### The rights context – Article 16

Article 16 states that no child shall be subject to arbitrary or unlawful interference with their privacy, home or correspondence, nor to unlawful attacks on their honour and reputation<sup>80</sup>. Children from forces families face unique challenges in relation to the protection of their privacy.

General Comment No. 25 on children’s rights in relation to the digital environment states that any interference in a child’s privacy should be “provided for by law, intended to serve a legitimate purpose, uphold the principle of data minimisation, be proportionate and designed to observe the best interests of the child, and must not conflict with the provisions, aims or objectives of the Convention<sup>81</sup>”.

### Impact on children and young people

Living ‘behind the wire’ on a base or in military patches in service family accommodation (SFA) can feel very invasive to children and young people.

“On base, everyone knows everything, especially the wives. Friends saying stuff about others.”

Francis



Those we spoke to described hearing things about their parent from other children or parents. While life in all small communities can generate this feeling or experience, in an armed forces community your neighbours are also your work colleagues and the serving person is always subject to military law, something the children and young people are acutely aware of. The ramifications of people knowing your business are greater in these situations.

For children and young people whose parent serves on submarines, there is additional interference to their privacy. They are limited, as a family, to a 120-word message once each week or two 60-word messages and these will be read and possibly redacted by the MOD before being passed to their loved one.

“You can’t say things that stop them doing work, they have to wait till they get home to find out even really exciting things. People on dad’s boat had to come off to get good news.”

Rene



80 UNICEF, *Convention on the Rights of the Child*

81 UN Committee on the Rights of the Child (2012) *General Comment No. 25*, page 12



## RIGHTS TO PROTECTION

While children and young people understand why some scrutiny is required, it feels arbitrary to them and they are used to self-censoring anything they write. Some young people choose to not write anything at all, leaving the message-writing to their non-serving parent.

The purpose of family messages is to maintain contact during a parental separation, so the censorship of these messages constitutes a breach of a child's right to privacy. It is therefore imperative that the actions of the MOD in this regard are legislated, that MOD officials consider what is best for the child and that information and access to justice in relation to the decision-making is available to children in ways that are easy to understand.

CC All I say is I love you, but I think it's quite invasive. You know that they have got to be read and you might not want others reading it. JJ

Louis

## RECOMMENDATIONS TO SUPPORT THE PROTECTION OF CHILDREN AND YOUNG PEOPLE FROM ARMED FORCES FAMILIES

The MOD and the Scottish Government must commission research to understand the impact of service-related separation on all children, particularly the very young. Solutions should be identified to mitigate the effects. This research must hear directly from children and young people.

The MOD and the Scottish Government must conduct a CRIA on any policy that has the potential to affect children from armed forces and veteran families and consider what steps can be taken to maximise the positive impacts and mitigate any negative impacts on children.

The MOD and the UK Government must review the 'Get You Home' payment and 'X-Factor' benefit to ensure these are sufficient to support regular face-to-face contact for those based away from their families.

The Scottish Government must publish a strategy detailing how it will protect the rights of children and young people from armed forces and veteran families and implement the Armed Forces Covenant Duty. This strategy should be co-produced with children and young people, parents, and professionals.

Local authorities should work with Scottish schools to co-produce a whole-school approach to supporting forces children.



# RIGHTS TO PROVISION OF SERVICES

## PROVISION RIGHTS

The UNCRC gives children rights to the services, skills and resources necessary to ensure their survival and development to their full potential. These rights include:

**Article 24** Access to healthcare

**Article 28 and 29** Education

**Article 27** Access to suitable housing

**Article 18** Access to childcare and family support.

All of these have been raised as challenges faced by children and young people from armed forces and veteran families. These provision rights will provide mitigation when the protection rights cannot be fully met.

Serving personnel experience frequent changes to their home base due to postings necessary for their career progression and the needs of the service. For those who serve in the Army, this is normally every two years. Moves across the home nations and abroad are less frequent for the other services but still occur. Promotion can also result in a house move within the base. While these moves may only involve going a street or two over, children and young people still find it disruptive to their routines and sense of home.

The frequent moves experienced by those in the armed forces have a direct effect on how their children experience their provision rights for healthcare, education, housing, childcare and family support.



CC My dad is in the Army. I have moved nine times, mostly in the UK but once it was overseas. That was a great experience! There are times when I feel like all the moves have made me more confident and I could face anything but there are other times when it feels very stressful, and I wish we could just stop moving.



Every time I move, I need to say goodbye to my friends, teachers and neighbours and I need to start all over again. Living in an Army house does mean that there is normally someone with a cake to say hello and everyone on the base knows what it is like. My mum sometimes gets frustrated by all the moves, especially if my dad gets deployed just after we move, and she does all the hard work of getting us settled. Moving all the time can make it hard for my mum to have her own career and she often says it is hard to get childcare for me and my siblings. There are no breakfast clubs or after-school activities at my new school. Many of the clubs have long waiting lists and I will probably move again before I get to the top. This makes it even harder for her to work.

So far, I have been to six different schools in three different countries. Sometimes it has meant going up or down a school year. This seems to be based on my age rather than what I already do or do not know. I have done World War II three times but don't know anything about the Romans. I have a big hole in my maths knowledge, which has made it difficult to do the harder work now that I am older. No one sat with me at any of my new schools and took the time to find out where I needed help. I am now in my last few years of school, and it was important to me that I finished my schooling and sat my exams in one place. When my dad got posted to Cyprus last year we made the decision that I would stay here with my aunt while the rest of my family went away. Sometimes it is hard, but I am glad I got to stay here and finish my schooling.

Next year I am hoping to go to university up north. It's a good thing I am already used to being away from my family. I have been offered a place but I am still waiting to find out if I am eligible for funding because my dad signed up in Wales and I have moved around so much it is hard to show my connection to Scotland, despite living here for the last three years and finishing school here.

One of the best things about moving in with my aunt was moving out of Service Family Accommodation. I hated living there. The houses are so run down, full of black mould, and you can never get anything fixed. What I hated most though was not being able to paint my room the colour I wanted.

It feels like I give up so much of who I am because of my dad's job.





CC My dad is in the Army. I have just moved to Scotland and am starting high school after the summer. This will be my fourth school.

I am really worried about starting high school because I have been waiting for an autism assessment for more than three years but it never seems to get done because we keep moving. It feels like I go to the bottom of the waiting list each time we move. Routines and plans are important to me, so I really want to know which school I am going to but I have not been able to enrol as we don't have an address yet. This is making the move even harder for me. I want to know what support will be in place for me when I get there and I really hope that this time I will be able to get my autism assessment done. I have been told that Scotland will be better for me as I don't need to have a diagnosis to receive support and my needs as a child from a forces family will also be taken care of. I hope this is what happens in real life.

As well as my autism, I have some other health problems. It can be hard for me to trust people, so moving GP and dentist or, even worse, not being able to get a GP or dentist, makes me really anxious. I know that anxiety is part of being autistic but I am also anxious when my dad is away on deployment. It has been really hard to find someone to talk to about it and who understands about autism and being part of a forces family. I have been referred to CAMHS (Child and Adolescent Mental Health Services) before but didn't get seen because of the long waiting list and us having to move again. I am not sure I want help from CAMHS. What would work best for me and my family is for someone to come into our house and listen to what support we all need together, and what I need just for me. It would be great if they could come regularly and for as long as we need them, because things that only last six weeks don't work for me. I am not sure they work for many people.



## PROVISION OF FAMILY SUPPORT

### The rights context - Article 18

Article 18 of the UNCRC recognises that parents, being concerned for their best interests, have the primary responsibility for the upbringing and development of their child(ren). Governments must provide appropriate assistance to parents, for them to fulfil their parenting responsibilities<sup>82</sup>.

The preamble of the UNCRC recognises that “the child, for the full and harmonious development of his or her personality, should grow up in a family environment, in an atmosphere of happiness, love and understanding”<sup>83</sup>. For some families and at different



times in the parenting journey, support is needed to provide the environment that best promotes their development. Armed forces and veteran families are no different but, in addition to the normal stresses and strains of family life, they face challenges due to their service.

The Scottish Government has committed to a transformational agenda to deliver family support in ways families need, when and where this is needed. The commitment is to reduce families entering a crisis point and the chances of family breakdown<sup>84</sup>.

### **Families in the armed forces**

**The latest data from the MOD shows that 53% of service personnel are married or in a civil partnership, while a further 22% of serving personnel are in a long-term relationship<sup>85</sup>. Some 79% of these families have children<sup>86</sup>.** As the information in relation to children is gathered from the spouses/partners through the FamCAM survey, it is unknown how many serving personnel are single parents or have a child who does not live with them.

**Research into the lives of forces families has consistently highlighted challenges in receiving formal family support that understands and responds to the unique circumstances in which parenting and childhood take place<sup>87 88</sup>.** The Directory of Social Change report, 'Focus on Armed Forces Charities' Support for Families', highlights that most support to forces families is delivered around specific support needs such as mental health, education or financial support and to individual beneficiaries rather than to the whole family<sup>89</sup>. There appears to be greater levels of support for veteran families than for serving families<sup>90</sup>.

**Research has highlighted that families living on service patches receive good informal support from other military spouses or partners.** These relationships provide information and practical support to manage the logistics of separations<sup>91</sup>.

For the serving parent, research has shown that reintegration into the family following deployment is particularly difficult<sup>92</sup>. For children and young people, separation and reintegration can also be difficult as they adjust to different rules, routines and roles<sup>93</sup>. This can be particularly difficult for autistic children or for those with caring roles, whose responsibilities can vary significantly as their serving parent comes and goes.

84 Whole Family Wellbeing Funding – Getting it right for every child (GIRFEC) ([www.gov.scot](http://www.gov.scot))

85 UK Government (2020) Armed Forces Continuous Attitude Survey: 2020 ([www.gov.uk](http://www.gov.uk))

86 UK Government (2020) Tri-Service Families Continuous Attitude Survey: 2020 ([www.gov.uk](http://www.gov.uk))

87 The Centre for Social Justice (2016) Military Families and Transition, page 33

88 RAF Benevolent Fund (2021) Growing Up in the RAF, page 13

89 90 Howarth, Doherty and Cole (2021) Focus on Armed Forces Charities' Support for Families

91 92 Gribble and Fear (2019) The effect of non-operational family separations on family functioning and well-being among Royal Navy/Royal Marines families, page 56

93 DeVoe and Ross (2012) The Parenting Cycle of Deployment, Military Medicine, page 187



## PROVISION FOR YOUNG CARERS

Young carers in armed forces families are in particular need of support. They will face many of the same things as other young carers but aspects of their lives will prove very different because they are part of a forces family. During periods of parental deployment, some young people take on additional responsibilities to support their family. Likewise, in the devastating situation of a serving parent experiencing physical or psychological injury, or even death, the young person can be required to adapt and take on additional responsibility to meet the family's needs<sup>1</sup>.

**“A lot of young carers in forces families don’t even know that they are one and they don’t have the support out there. Since I was born, my dad has been in the Navy. Although I love what my dad does, this has an effect on my caring roles and my family as a whole. Sometimes it is difficult as I don’t have the support from my dad as he isn’t able to be there physically to help my mum, brothers and me. If my mum is working or isn’t feeling well it’s on me to make dinner, look after my brothers and help my mum. I miss my dad and his job has made it hard to come to events or holidays and sometimes we don’t even get to have any contact with him for a large amount of time.” – Marie**

Families with care needs may receive a variety of support from health and social services. The young carer may be linked into a supportive and active young carers network. They can lose all this when moving. Getting the right support in place quickly can be difficult due to different local authority processes, eligibility criteria or waiting lists for services. A lack of information and support moving to a new area can also mean that young people do not know where to go for support, or the local support services may not know that they have moved into the area<sup>2</sup>. This group of young people is also less likely to be close to informal support, such as extended family or friends, due to frequent moves. The break in support and lack of informal support can mean caring responsibilities increase for the young person at a time when they are managing several other transitions, such as starting at a new school.

**“It was hard when he was away and my mum was sick, especially around the time we moved. More on me looking after my younger brother – I’m a young carer. They tell Dad he can come home then say he isn’t allowed. We need a date and understanding of the date change.” – Marie**

There may be a delay in getting the statutory support for young carers in place, such as a Young Carer Statement, and the different processes and eligibility for state support across the home nations can present additional challenges for young carers. ✓



## PROVISION FOR YOUNG CARERS

Due to the difficulties that can be experienced with frequent moves, some families who are happy with the support and services in place may choose to stay in one place and for the serving parent to travel home when they can. While this means a continuation of support, it also means that the young carer may have additional caring responsibilities due to the absence of the service person. 📌

**“If I had gotten [support] sooner, a lot of the stress I felt would have been dealt with.” – Erin**

## Availability of family support for forces families

**Challenges faced by families through service separations and reintegration can have a detrimental impact on the short-, medium- and long-term wellbeing of partners and children<sup>94</sup>.** Children and young people have told us they would like support as a family during service-related separations.

The availability and skill set of welfare support is different across the Tri-Services, meaning that the support available to families, and who provides this, varies. The welfare support may be a posting, meaning that it is staffed by forces personnel and changes as frequently as other postings and promotions. This may also mean that, for some children, the welfare service is provided by their parent.



**My dad was welfare officer for a long time, which was a bit awks.**

Cadence



In some branches of the services it is not independent, while for other branches it is provided through charitable grants, which can lead to short-term services and a lack of continuity of relationships when funding ends.

Welfare support in the Royal Navy is provided in part by the Social Work Service. Families have said there are not enough social workers to meet need and that support is often provided only when the family reaches a crisis point.

**FamCAS reported that nearly three in eight spouses/partners did not know where to go for welfare support while their serving spouse/partner was deployed<sup>95</sup>.** Only 30% reported being satisfied with aspects of support during deployment and this has been decreasing since 2015<sup>96</sup>. Other research has found that welfare services vary in quality, often impacted by the ability and dedication of individual staff members. It can be harder to access welfare support if living away from patches, with an expectation that they seek support from their partner's unit, even if it is some distance from the family home. For these spouses or partners, it was harder

94 Godier-McBard, Wood and Fossey (2021) *The Impact of Service Life on the Military Child: The Overlooked Casualties of Conflict - Update and Review Report*, pages 24, 25 and 43

95 96 Ministry of Defence (2023) *Tri-Service Families Continuous Attitude Survey Results 2023*, page 21



## RIGHTS TO PROVISION OF SERVICES

to find out information about what services were available, as the information was given to the serving person to pass on<sup>97</sup>.

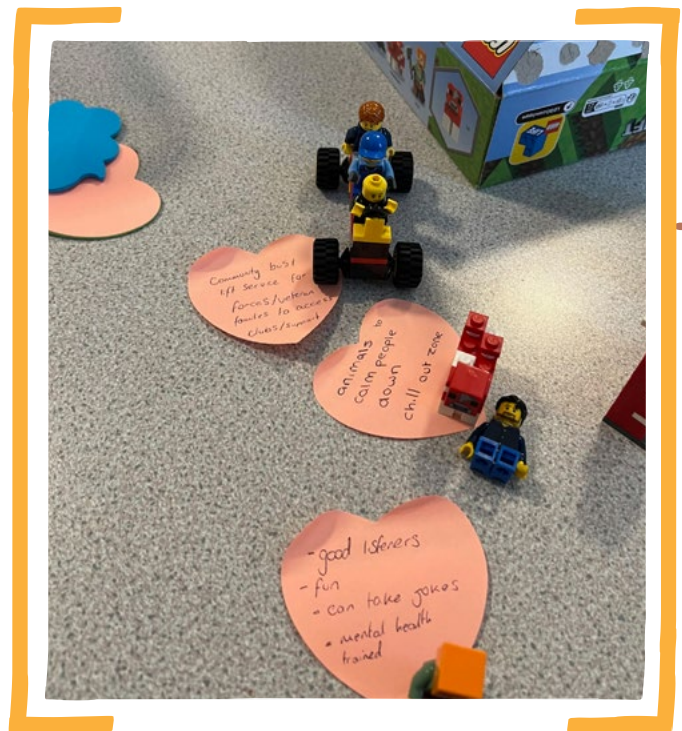
### **Impact on children and young people**

Children, young people and their parents across all three services have told us that the support offered is not what they often want or need. They feel that services are developed for them, rather than with them, and as a result can be poorly attended and received. The services that they value most are the services that can respond to their needs in individual and tailored ways.

For families who have chosen to buy their own home and live off-base, they feel overlooked and say that they have less access to support, especially during deployments. They may not be able to access the family activities on offer at the base and they do not have the same physical access to welfare services. In addition, they do not have the informal support of having other forces families living nearby.

Forces children and young people, and their families, tell us it can be difficult to access the right support at the right times. **They are reluctant to access services provided by the MOD, such as the welfare services, as they feel doing so may adversely affect the serving parent's career.** Services provided by the forces charity sector tend to deliver set, time-limited programmes that do not address the unique challenges faced by each family and do not deliver the 10 principles of family support, as set out in The Promise<sup>98</sup>. **It is imperative that armed forces and veteran families are actively considered in the delivery of the Scottish Government whole family support** and involved in the design of the services.

We need an end to the 'just get on with it' culture and foster one which makes it okay for forces families to seek support when it is needed and for them to receive it for as long as they need. Services must be co-produced with children and young people to ensure they meet their needs.

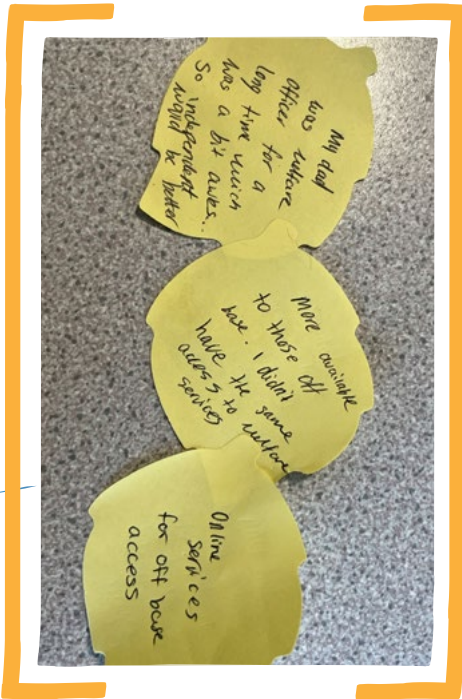


<sup>97</sup> Gribble and Fear (2019) *The effect of non-operational family separations on family functioning and well-being among Royal Navy/Royal Marines families*, pages 64-65

<sup>98</sup> Independent Care Review (2020), *Family Support*, #KeepThePromise



## RIGHTS TO PROVISION OF SERVICES



Children and young people have told us they want services that are independent of the MOD and that they can access on their own, or with their families. They want services that support access to their peers, who understand the unique challenges posed by being part of a forces family.

Having services come to them rather than having to travel is also important. This is particularly important to families who choose to live off-base or who are transitioning to veteran status. For them, family support can be particularly hard to access. These families also lose the informal support provided by living in proximity to other forces families, which was identified by young people as the primary source of support for families.



She didn't get much support, more support from the other military wives.  
Charlie

If contact [with the serving parent] can't be improved, families need more support to deal with this.



Riley



I GIVE UP  
SO MUCH!

## ADDITIONAL CONSIDERATION OF THE RIGHTS OF DISABLED CHILDREN

Children who are disabled have additional protections under the UNCRC and should have access to additional resources to ensure they can enjoy a full and decent life<sup>1</sup>.

For disabled children in forces families, they face additional challenges with housing, education and accessing health services.

One young person described SFA housing that was not appropriate for his younger sister, who used a wheelchair. This not only affected her but also significantly added to the young person's responsibilities as a young carer.

**“SFA housing is not accessible for disabilities. Our house was difficult to manoeuvre and Dad had to build decking to accommodate my sister's wheelchair as the MOD would take too long. It was a flat on the first floor and we had to carry my sister up and down the stairs. The MOD will try to accommodate but it's not good enough. My dad left the Army five years ago because the houses weren't suitable for my sister.” – Jaiden**

Other children miss out on allied health services, such as speech and language therapy, due to lengthy waiting lists. Transferring identified support can also be difficult and can result in constant reassessments and retelling their story. Older children can find it harder to take control of their own health and support due to the frequent moves and complexity of navigating different systems.

For autistic children, the changes to routines and family roles that come with new postings and deployments can be very difficult. One parent described how the family eventually decided that the serving parent would not come home at weekends during an 18-month residential training course because the constant coming and going and associated changes in routines were too much for their autistic child.

Children with additional support needs in education also experience barriers to maintaining the support they need when they move schools. This can be particularly challenging when they are moving between the home nations due to the different ways that disabilities and additional needs are supported.

We have also heard that there can be a lack of appropriate childcare provisions for disabled children, particularly those in secondary school. This can negatively affect their social development and their non-serving parent's ability to maintain employment, thereby affecting the wider quality of life for the whole family.

**More is needed in housing, education, health and childcare provisions to ensure that disabled children from forces families receive the additional protections and resources that are their right. 🚩**

1 UNICEF, Convention on the Rights of the Child



## RIGHTS TO PROVISION OF SERVICES

### PROVISION OF CHILDCARE

#### The rights context - Article 18

As part of supporting parents in their responsibility for the upbringing and development of their children, article 18 calls on governments to take all appropriate measures to ensure that children of working parents benefit from childcare services. This includes the development of institutions, facilities and services for the care of children<sup>99</sup>. This is not limited to pre-school childcare but includes before and after-school care and care over school holidays.

#### Availability of appropriate childcare for forces families

**Lack of access to childcare is consistently raised as a barrier by non-serving parents<sup>100 101</sup>.**

The barriers include insufficient provision across all age groups, particularly for those with additional needs. Families can experience long waiting lists, resulting in no access, when moving into a new area. They frequently report a lack of services that provide evening, overnight, weekend and holiday care, which is needed during deployments when non-serving parents effectively become single parents. Where out-of-hours services do exist, they are not staffed by people known to the child, which can be difficult for a young child who is already experiencing separation anxiety due to their parent's service.

#### Impact on families

**The lack of childcare, particularly before and after school and during school holidays, can result in the non-serving parent experiencing challenges in maintaining employment or obtaining the respite necessary during deployments.** This issue is far reaching, with 74% of families with a child aged under five requiring childcare<sup>102</sup>. FamCAS 2023 reported that of the 38% of spouses of serving personnel who looked for a job, 63% experienced difficulties finding suitable employment. 50% report that their serving partner being unable to assist with care responsibilities was one of the biggest barriers to them working and 48% said it was because extended family lived too far away to assist with childcare<sup>103</sup>.

Impact on partner employment is cited as one of the common reasons service personnel decide to leave the forces<sup>104</sup>.

In 2021, the MOD launched the Wraparound Childcare (WAC) scheme to help working families with the cost of childcare for children between the ages of four and 11, either attending school or being educated at home. It was rolled out across the UK in September 2022. Families tell us that while they welcomed this initiative, it has not addressed the lack of providers in some areas and does not resolve the need for holiday care or the care for older children. They feel the scheme fails to recognise the role extended families play, in normal circumstances, in the provision of holiday care. Extended family support is not available to most forces families due

<sup>99</sup> UNICEF, *Convention on the Rights of the Child*

<sup>100</sup> UK Government (2018) *Guidance: Childcare for service children*

<sup>101</sup> Lyonette, Barnes, Kispeter, Fisher and Newell (2018) *Military spousal/partner employment: identifying the barriers and support required*. Army Families' Federation, Warwick University and QINETOO, page 27

<sup>102</sup> Ministry of Defence (2023) *UK Tri-Service Families Continuous Attitude Survey (2023)*, page 15

<sup>103</sup> Ministry of Defence (2023) *UK Tri-Service Families Continuous Attitude Survey (2023)*, page 23

<sup>104</sup> Selous, Walker and Misca (2020) *Living in Our Shoes: Understanding the Needs of UK Armed Forces Families*, page 99





## RIGHTS TO PROVISION OF SERVICES

to postings taking them away. They also report that applying for WAC is a complex process and uncertainty around eligibility is offputting for many. However, the latest FamCAS survey shows that “the proportion of families feeling advantaged about childcare” by being in a forces family has increased for the first time since 2017, when the question was first asked<sup>105</sup>.

The lack of appropriate childcare and impact on employment options for the non-serving parent has financial implications for families, with many saying that the absence of a sufficient second income or under employment causes financial hardship for the family.

To meet the needs of service families, **it is imperative that childcare is recognised as a right and more needs to be done to ensure that what families say they need is available in all areas, particularly where there is a large population of forces families.**

### PROVISION OF EDUCATION

#### The rights context - Articles 28 and 29

Education is central to the lives of children and young people and those from armed forces and veteran families are no exception.

Article 28 recognises the right of children to access education which:

- Is compulsory and free at primary level
- Offers general and vocational learning at secondary level
- Is as accessible as possible for all who are capable at tertiary level, and
- Has measures to encourage regular attendance and discourage dropping out.

### ADDITIONAL CONSIDERATION OF THE RIGHTS OF CHILDREN WHO LOSE THEIR CONNECTION TO THE FORCES THROUGH BEREAVEMENT

Bereavement can be an incredibly challenging time for children and young people. The loss of a parent, whether serving or not, is particularly difficult and there is a lack of coordinated bereavement support across Scotland for children who experience the loss of a loved one<sup>1</sup>.

For children and young people from forces families, when a serving parent dies, it can mean more than the loss of their parent. It can mean losing their home, the financial support for the continuation of their education, and their connection to the forces community. From a rights perspective, they have additional challenges to their provision, protection and participation rights than other bereaved children.

For children who are bereaved of their parent while living in Service Family Accommodation, they can have as little as 93 days to vacate, often meaning a physical move away from an armed forces services community, their school and their friends. For them, there is additional loss and trauma on top of their bereavement. Many will find themselves in temporary or homeless accommodation. While the policy allows for up to two years before a move is required, there is considerable difference across the Tri-Services and a lack of transparent process.

Research has found that there is immediate support for these families, but it can quickly fall away, leaving ✓

1. The National Childhood Bereavement Project (2022) *Growing Up Grieving: Final Report*, page 16



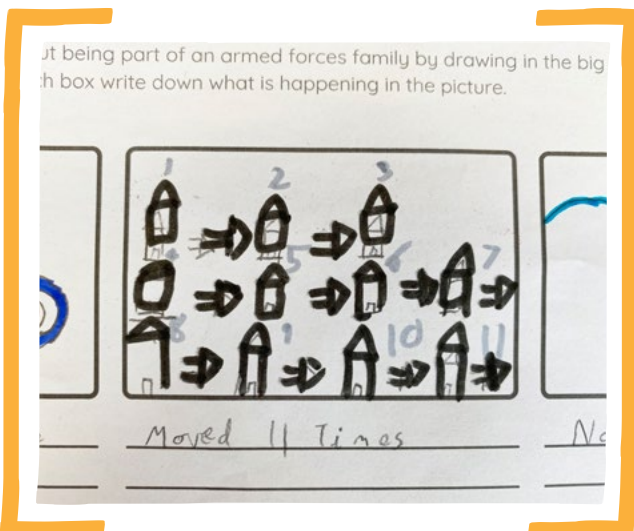
## RIGHTS TO PROVISION OF SERVICES

Article 29 urges governments to ensure education develops the child's personality, talents and mental and physical abilities to their fullest potential as well as the development of respect for human rights and the natural environment<sup>106</sup>.

Children and young people expect these rights to be upheld and with the passing of the UNCRC Act in Scotland, they will have greater access to legal redress where they are not. For children and young people from forces families, their right to education can be detrimentally affected by frequent school moves. They can also face challenges in accessing subject areas of interest, additional support for learning and funding to study at tertiary levels.

### Frequent school moves due to forces life

17% of families with school-aged children experienced a change in school for service reasons in the previous 12 months<sup>107</sup>. Moving around frequently can create challenges for children and young people from forces families. FamCAS reported that families who moved were more likely to experience difficulties with their




<sup>106</sup> UNICEF, Convention on the Rights of the Child

<sup>107</sup> Ministry of Defence (2023) Tri-Service Families Continuous Attitude Survey 2023, page 17



### ✓ ADDITIONAL CONSIDERATION OF THE RIGHTS OF CHILDREN WHO LOSE THEIR CONNECTION TO THE FORCES THROUGH BEREAVEMENT

the families feeling isolated and cut off from the military communities they have been part of<sup>2</sup>. The family's financial circumstances can be significantly affected, receiving a vastly smaller service pension than they would have had, had the serving person left at the end of their service and in a planned way. What form of service pension their surviving parent is awarded can determine if they are entitled to funding to maintain their education and the length of time taken to establish entitlement can often mean that it comes too late for some young people.

Children in this situation describe losing their identity as a forces child as they are neither from a serving family nor make the transition to a veteran family. It feels like their connection dies with their serving parent. Scotty's Little Soldiers is the only specialist service for children bereaved of a serving parent. It provides support that acknowledges not only the loss of the parent but also the community, however, it does not provide specialist bereavement counselling, instead referring children on to other services. Children in this situation can face lengthy waiting lists for support; restrictive thresholds for support, such as not receiving support in the first six months; and receiving support which does not understand the additional challenges and losses that are outlined above. 

<sup>2</sup> Scottish Veterans Commissioner (2024). Community and Relationships: Anything but Uniform



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children's schooling compared with those who did not move<sup>108</sup>. Children and young people end up repeating or completely missing parts of the curriculum<sup>109</sup> <sup>110</sup>. As schooling starts later in Scotland and school terms are different, children and young people may even find themselves in the year below or above.

### **Impact of frequent school moves on children and young people**

Children and young people told us that they find frequent school moves and moving up or down grades difficult from a social point of view and don't feel like the impact of this is taken seriously by adults. Other children have been reported as missing from education when one school year finishes earlier than another and they choose to not start school in the new country until the next academic year.

For some young people, the frequent school moves, and associated anxiety, can lead to poor school attendance or school refusal.

**I missed two years of primary school due to moving back and forwards between the UK and Germany, also repeating topics between England and Scotland. I wasn't supported with hobbies and interests, so I was bored.**

Cadence



For young people in the senior phase of education, a shift of schools during the school year may mean not being able to take the subjects or take the exams they wish due to a lack of space or the timing of their entries<sup>111</sup>. Local authority processes can mean that schools are not able to hold places for children from forces families, despite knowing that families are due to move into the area. This can make it very difficult for families to plan and to prepare their child for the move.

**Everyone has access but debate over what schools. Heavily affected by being in a forces family, some can't bring themselves to attend school especially during deployments. Some might not want to move school and have no friends.**

Taylor



Our Advisory Service has shown that families can find getting a place in schools difficult when they don't have their final address but know where they are going for posting, causing additional worries and anxiety for the family. This can be especially worrying for young people when they are unable to pick the subject they want, which can impact on their post-education plans.

**Some young people have told us about gaps in their education when returning from overseas postings and being unable to get a space in their local school.** However, it must be noted that some families found the transfer from England to Scotland easier due to the Scottish Government's policy of Getting It Right For Every Child<sup>112</sup> (GIRFEC) and the wider

108 Ministry of Defence (2023) *Tri-Service Families Continuous Attitude Survey Results 2023*, page 30

109 Children's Commissioner (2018) *Kin and Country: Growing Up as an Armed Forces Child*, page 7

110 Howard, Doherty and Cole (2021) *Focus On Armed Forces Charities' Support for Families*

111 Selous, Walker and Misca (2020) *Living in Our Shoes: Understanding the Needs of UK Armed Forces Families*, page 57

112 Scottish Government, *Getting it right for every child (GIRFEC)* ([www.gov.scot](http://www.gov.scot))



## RIGHTS TO PROVISION OF SERVICES

criteria for additional support for learning through the Education (Additional Support for Learning) (Scotland) Act 2004 (ASL Act)<sup>113</sup>.

Emerging research shows that service-related mobility has a negative effect on children's academic potential, with those who experience more moves, or moves at key stages in their schooling, being less likely to achieve higher grades in the senior phase. Although children and young people in armed forces families are broadly similar in attainment, it is evident that they are not meeting their fullest potential in education<sup>114</sup>.

### Staying put for educational stability and the impact on children and young people

**Some families face difficult choices when seeking to provide their children with educational stability.** These choices include sending their children to boarding school. The MOD will pay a Continuity of Education Allowance (CEA) to assist service personnel with boarding school fees. 5% of other rank families receive CEA, rising to 21% for officer families<sup>115</sup>. Attending boarding school has been shown to provide strong friendships and a sense of security and identity for some children. For others it is associated with a negative impact on their development and psychological wellbeing. It has also been linked to poorer academic performance at higher levels of education<sup>116</sup>. There is a scarcity of research on the impact of boarding school in the context of military service.

Other families make the choice to stay put as a family and for the serving parent to travel home when they can, or have extended family members care for the child while the rest of the family moves away, thereby affecting their right to regular and direct access to both parents.



CC It can be hard if both people move and you decide to stay for education. You should have a right to live your childhood in one place.

Timmy



There is some research that has shown that weekendening can have a detrimental impact on children and young people's mental health and wellbeing<sup>117</sup>, which is known to impact on educational attainment. However, not enough is known about the impact of weekendening on attainment.

### Impact on access to further education

There is a lack of information about how many young people from forces families access higher and further education compared to non-forces children. It is acknowledged though that frequent moves across educational systems may impact on the likelihood of a young person

<sup>113</sup> Scottish Government, [Additional support for learning \(www.gov.scot\)](http://www.gov.scot)

<sup>114</sup> Cotton (2024) GCSE attainment in children from military families (conference session), Forces in Mind Trust Research Centre Conference 2024, London

<sup>115</sup> Ministry of Defence (2023) Tri-Service Families Continuous Attitude Survey Results 2023, page 16

<sup>116</sup> James (2023) The Psychological Impact of Sending Children Away to Boarding Schools in Britain: Is there Cause for Concern?, [British Journal of Psychotherapy, Wiley Online Library](http://British Journal of Psychotherapy, Wiley Online Library)

<sup>117</sup> Gribble and Fear (2019) The effect of non-operational family separations on family functioning and well-being among Royal Navy/Royal Marines families., pages 34 and 49



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### ADDITIONAL CONSIDERATION OF THE RIGHTS OF CHILDREN WHOSE PARENTS ARE DISCHARGED FOR A FAILED COMPULSORY DRUG TEST

Between 600 and 770 serving personnel fail a compulsory drug test each year<sup>1</sup>. The most likely outcome for these people is that they will be discharged from the armed forces – there is a zero tolerance policy given the potential impact on operational effectiveness.

**Early Service Leavers who fall into this group are more likely to be vulnerable and have a negative transition out of the armed forces, a study found<sup>2</sup>. Service personnel may not be sure of what the next steps are after a failed test as the timeline can vary, creating uncertainty for serving personnel and their family.**

**This group is especially at risk as they are often young and believe this behaviour to be normal, as it was accepted behaviour in their non-military friendship groups. They are likely to have witnessed substance misuse before they signed up to the armed forces and some claim to have signed up to escape this life. There appears to be a lack of coordinated effort to make sure they are supported upon discharge, despite being eligible for the same support offered to those who leave in different circumstances. This type of discharge also comes with stigma given the strong feelings held in the forces about drug use. Many describe being ostracised from the armed forces community and feel unable to access any of the support on offer.**

**The stigma and sudden nature of the discharge can also affect relationships** ✓

1,2 Veterans & Families Institute for Military Social Research (2021) "Fall Out": Substance misuse and service leavers



from a forces family attending university<sup>118</sup>. The Scottish Government Widening Access initiative is seen as a positive by the young people as it provides a mitigation to some of the challenges they have experienced.

**Widening access helped me get into university despite not having a full education.**  
Cadence

Accessing funding for further education can be difficult for young people from forces families due to the different funding arrangements in each of the home nations. A common policy was developed in recognition of the mobile nature of service life. When an applicant's family have not established a permanent residence in one of the home nations, the responsibility for student finances falls to the country where the service personnel was living when they enlisted<sup>119</sup>.

We welcome the recent changes to Student Awards Agency Scotland (SAAS) funding which means that young people who were born and lived in Scotland all their life or have spent most of their life in Scotland, including secondary education, **may** be eligible for funding from SAAS<sup>120</sup>.

We call on the Scottish Government to strengthen this to a commitment to guarantee funding for young people in this situation, because there remains uncertainty about successful funding which can deter some young people from applying to further education.

118 Selous, Walker and Misca (2020) *Living in Our Shoes: Understanding the Needs of UK Armed Forces Families*, page 65

119 UK Government (2018) *Higher education for service children*

120 Student Awards Agency Scotland (2024) *Funding for serving members of the Armed Forces, their families and veterans*




### ✓ ADDITIONAL CONSIDERATION OF THE RIGHTS OF CHILDREN WHOSE PARENTS ARE DISCHARGED FOR A FAILED COMPULSORY DRUG TEST

with a partner, with many experiencing relationship breakdowns and some stating that access to their children was restricted following the failed drug test. This could affect a child's right under Article 9 of the UNCRC to not be separated from their parents or maintain regular and direct contact when they are.

Compulsory discharge will also result in loss of SFA accommodation and other service-related benefits such as the Continuation of Education Allowance. Both will have immediate impact on their children's right to an education and adequate housing.

It is not known how many children are affected in this way, this data is required to ensure adequate provision and safeguarding is in place.

More support must be put in place for the discharged person and their family, especially children, when this type of discharge takes place to ensure that the child is safe and protected from all forms of abuse or neglect in line with Article 19 of the UNCRC<sup>3</sup>. 

<sup>3</sup> UNICEF, Convention on the Rights of the Child



For children who have moved frequently across all the home nations and to overseas bases, who will find it difficult to demonstrate a connection with any country, their view of their identity and home base must be taken into consideration in line with Article 8 of the UNCRC. A more realistic timeframe for establishing eligibility for SAAS funding for those who move frequently would be completing their senior schooling in Scotland.

### Accessing Additional Support for Learning

**Challenges can also arise for children and young people from forces families in accessing Additional Support for Learning (ASL).**

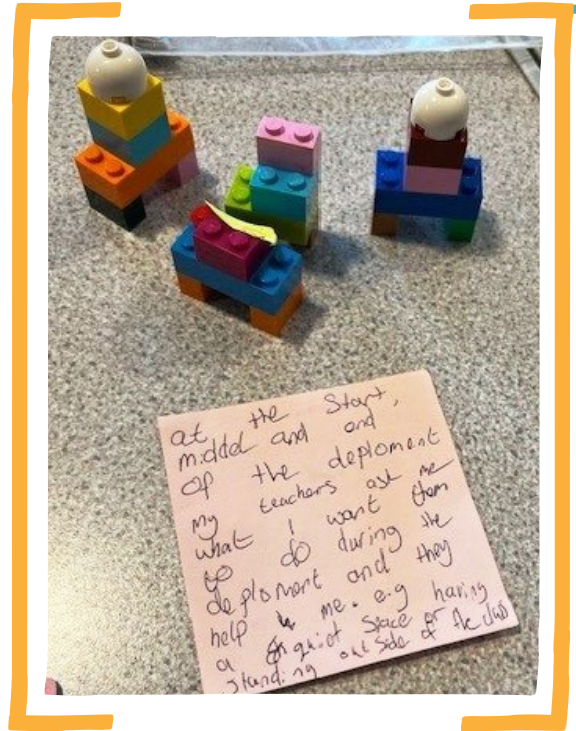
Families reported in the latest FamCAS survey that one of the most common difficulties with schooling was gaining support for children with special educational needs (SEN), which is the terminology used in England<sup>121</sup>. In Scotland, it is not necessary to have a formal diagnosis to get additional support in school, but rather any short- or long-term need that restricts a child's ability to access their education to the fullest should be assessed and support put in place in line with GIRFEC.



## RIGHTS TO PROVISION OF SERVICES

Children and young people from armed forces families are specifically mentioned in the Scottish Government's Supporting Children's Learning statutory guidance as a group that may have additional support needs over and above specific learning difficulties due to service-related events such as deployment<sup>122</sup>. However, children and young people have told us that these needs are often not recognised or not met, which can impact their right to education and longer-term attainment. When it is recognised, it makes a significant difference to the young person.

Our teacher let the whole class go outside to watch my dad's boat leave. It helped a lot. Arnie



Teachers providing more support in school as I have no place to study at home. Toby

Sometimes specific learning challenges such as dyslexia or autism are not identified early due to frequent school moves. This can be because the new school is getting to know them, or their challenges are wrongly attributed to missed curriculum, or their emotional and behavioural presentation due to the disruption to their education.

These scenarios result in delays in seeking assessments, sometimes with them being delayed each time a child moves school.

My brother has dyslexia and ADHD, and it took the school a while to notice and then meet with them. Lucas

Parents have contacted our [Advisory Service](#) with worries about their child receiving additional support upon a move. Families face losing support they may have had when living in England, where the legislation is different and requires a diagnosis. Children who require specialist education or communication support in school, such as those who are hearing impaired, can face delays to starting school while appropriate support is secured.

Children should be able to access the support they need in schools quickly, especially if they are frequently moving. Parents tell us that finding the right information on national entitlements and local services for additional support needs can be challenging when trying to navigate all the other things associated with a move.

122 Scottish Government (2017) Supporting Children's Learning: Statutory Guidance on the Education (Additional Support for Learning) Scotland Act 2004 (as amended), Code of Practice (Third Edition), page 11

## RIGHTS TO PROVISION OF SERVICES

### What children and young people think will help

Children and young people have asked for schools to work with them to develop a whole-school approach. The 'How Good Is Our School' improvement framework<sup>123</sup> and the 'Thriving Lives Toolkit'<sup>124</sup> should be used to inform this work.

**Forces Children Scotland calls on decision-makers to consider the challenges faced by children and young people from armed forces and veteran families, especially when it comes to their educational needs.** Despite the recognition that life in a forces family may have a negative impact on learning and attainment, there is currently no data on children from armed forces families' attainment and post-school destinations. This needs to be routinely collected and analysed to inform improvements.

**We call on the Scottish Government to strengthen implementation of the ASL Act 2004 by supporting schools to assess and collect data on the additional support needs of learners from armed forces and veteran families,** raise awareness of the ASL framework and its relevance for this community, and commit to investing in support for those pupils who have experienced education disruption.

**The UK Government and all devolved governments must work together to design and implement a robust information transfer system within education** which ensures that the right information is passed along with a child when they move schools and communities because of the posting of a serving parent.

<sup>123</sup> Education Scotland (2017) *How good is our school fourth edition - HGIOS 4*

<sup>124</sup> Service Children's Progression Alliance, *The Thriving Lives Toolkit*

### **ADDITIONAL CONSIDERATION OF THE RIGHTS OF CHILDREN WHO LOSE THEIR CONNECTION TO THE FORCES THROUGH PARENTAL SEPARATION**

While evidence suggests that married couples over the age of 29 – with a least one of them serving – are less likely to divorce than the general population<sup>1</sup>, service life can have a negative impact on relationships<sup>2</sup>. When relationships do fracture, children from forces families experience parental separation differently to other children. When children have been living in SFA but, following the separation, will live primarily with the non-serving parent, the family loses access to SFA and must move within 90 days<sup>3</sup>. For the non-serving parent, there is often no choice but for them to present, with their children, as homeless to a local authority. In these situations, they may have difficulty demonstrating the necessary local connection to be eligible or may be in an area where there is a shortage of accommodation due to the record numbers of homeless applications<sup>4</sup>.

**This is made even more difficult when the non-serving parent has been the victim of domestic abuse and may need to move out of the area for their safety but have been isolated from their friends and family. ✓**

<sup>1</sup> Godier-McBard, Wood and Fossey (2021) *The Impact of Service Life on the Military Child: The Overlooked Casualties of Conflict – Update and Review Report*, page 86

<sup>2</sup> Gribble and Fear (2019) *The effect of non-operational family separations on family functioning and well-being among Royal Navy/Royal Marines families*, pages 31, 38, 39, 40

<sup>3</sup> Selous, Walker and Misca (2020) *Living in Our Shoes: Understanding the Needs of UK Armed Forces Families*, page 15

<sup>4</sup> BBC Scotland News (2023) *Homelessness rises to highest level on record*



This information transfer must include the voice of the child, any safeguarding concerns and full information about any additional support needs, and must be delivered in a way that is proportionate and respects their privacy. Children and young people should be involved in the collation of this information, so they are aware of what information is being shared and why. They must have appropriate mechanisms to ensure they can challenge any information that they do not want to be shared.

Alongside the information transfer system, **there needs to be a robust process to ensure that already identified additional support or assessment is in place as soon as possible** after starting a new school placement to remove additional barriers to their successful transition.

### PROVISION OF HEALTHCARE

#### The rights context - Article 24

**Children have the right to enjoy the highest attainable standard of health and access to services and facilities for the treatment of illness and promotion of health.** Governments must take appropriate measures to ensure the provision of the necessary medical treatments and healthcare to all children. Despite this right, accessing healthcare can present unique challenges for children and young people from armed forces and veteran families due to frequent moves affecting waiting times or their access to services and assessments. There is also a lack of recognition about the impact of forces life on their mental health and wellbeing, and provision of appropriate services to respond.

### ADDITIONAL CONSIDERATION OF THE RIGHTS OF CHILDREN WHO LOSE THEIR CONNECTION TO THE FORCES THROUGH PARENTAL SEPARATION

When the parents separate, the serving parent also loses access to SFA, moving instead into Single Living Accommodation. This can make maintaining access to their children difficult, particularly when the non-serving parent moves away or if the serving parent is subsequently posted further away. While the serving parent may be able to access spare SFA when their children come for overnight stays, this depends on availability and is not guaranteed.

**There is a level of upheaval not normally experienced by the general population or by service families who do not live in SFA. The circumstances can make it very difficult for children to maintain their rights to direct and regular contact with their non-resident parent. Children can also feel that they lose their identity as a forces child when they move off the base and have less day-to-day contact with their serving parent. They experience many of the challenges experienced by children whose family are transitioning to veteran status, without the planning and support.** ■

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### Impact of waiting lists and access to services

Frequent moves mean that children and young people from armed forces families may end up at the bottom of waiting lists each time they move, resulting in delays in seeking medical advice or a delay receiving treatments for already identified health conditions.

This is particularly challenging now due to record waiting times across most health services<sup>125</sup>. Only 62% of families reported being able to access GP services without difficulty and access to mental health services was even lower at only 37%<sup>126</sup>. This directly impacts this group of children and young people's right to the enjoyment of the highest attainable standard of health and access to treatment and wellbeing facilities<sup>127</sup>.

Appointments with a GP or dentist are hard to get.  
Rory



Stress of wait-lists, especially for autism and ADHD.  
Aidan

NHS waiting lists are long and people are having to go private, but some can't afford it. People are pushed to paying for private. Lena

Moving around disrupted being on wait-lists, so chose to stay registered in England to get treatment even though living in Scotland. Emily

As shown by the above quotes, moving around frequently causes challenges with waiting lists and treatment options. Although the challenge of getting registered with a GP practice or securing an appointment with a GP is a concern across the whole of Scotland<sup>128</sup>, it can be exacerbated by the frequent moves experienced by armed forces families. While this should be mitigated under the duties of the Armed Forces Covenant, this is not the experience for many families.

Challenges in accessing assessments for autism and ADHD was also raised by young people. Being on a waiting list can be a stressful time for a young person and their parents. It is important that children and young people are not continuously waiting on these assessments and are given the support they need in the meantime. As already highlighted, children and young people may receive different or delayed support when moving schools, which can be an additional source of stress for families.

### Support for mental health and wellbeing

The additional stressors of life in an armed forces family may lead to some children and young people having poorer mental health. One study showed raised levels of anxiety

<sup>125</sup> Institute for Fiscal Studies (2024) Scottish NHS is treating fewer patients than pre-pandemic, despite big increases in staffing

<sup>126</sup> Ministry of Defence (2023) Tri-Service Families Continuous Attitude Survey 2023, page 24

<sup>127</sup> UNICEF, Convention on the Rights of the Child

<sup>128</sup> Scottish Government (2022) Public Understanding and Expectations of Primary Care in Scotland, page 21



## RIGHTS TO PROVISION OF SERVICES

for children when their fathers were deployed to Afghanistan<sup>129</sup>. In the latest FamCAM survey, 23% of families said they had required access to mental health treatment – but only 37% of those families were able to access services without difficulty<sup>130</sup>. One Naval Families Federation survey found that separation from the service parent led to emotional difficulties for the child<sup>131</sup>. It was also reported in the same study that children need support from Children and Adolescent Mental Health Services (CAMHS) for a variety of mental health presentations<sup>132</sup>. Some respondents felt that their child's mental health was clearly affected by being in an armed forces family<sup>133</sup>. Research from Australia indicates that children's mental health and wellbeing can be increasingly be adversely affected with each deployment<sup>134</sup>.

CC My mental health is impacted. Hayden —



CC Depressed when parent is away. Rory —



CC I got to a point of moving where I didn't see the point in making friends anymore. This really put me down. Ali —



Not all children and young people will experience poor mental health and wellbeing, but those who do, need the right support at the right time. A Forces Children Scotland survey with children and young people from armed forces and veteran families highlighted concerns. Of the 162 respondents who answered questions about their mental wellbeing:

**20%** felt low about every day in the previous six months

**24%** felt irritable or bad-tempered about every day in the previous six months

**28%** felt nervous about every day in the previous six months

**27%** experienced difficulties getting to sleep about every day in the previous six months

**31%** never or hardly ever feel confident in themselves

<sup>129</sup> Pexon, Farrants, and Yule (2017) The impact of fathers' military deployment on child adjustment. The support needs of primary school children and their families separated during active military service: A pilot study, page 9

<sup>130</sup> Ministry of Defence (2023) Tri-Service Families Continuous Attitude Survey 2023, page 24

<sup>131</sup> <sup>132</sup> <sup>133</sup> Naval Service Families Mental Health Survey 2018, page 10

<sup>134</sup> McGuire, Kanesarajah, Runge, Ireland, Waller, Dobson (2016) Effect of Multiple Deployments on Military Families: A Cross-Sectional Study of Health and Well-Being of Partners and Children, Military Medicine, Oxford Academic



## RIGHTS TO PROVISION OF SERVICES

Forces Children Scotland runs the Your Mind Matters service in Helensburgh. This provides group work and one-to-one help to children and young people in armed forces and veteran families who wish to have mental health and wellbeing support. The top three presenting difficulties were worries/anxiety, low mood and anger. More than 92% of young people have experienced an improvement in their mental health and wellbeing following support from the service between March 2023 and April 2024. Our Lighthouse Project, which runs in Queen Victoria School, Dunblane, offers mental health and wellbeing support to pupils in a boarding school environment. This service noted a 92% rate of improved mental health and wellbeing, while the other 8% remained the same, so no person who attended the service suffered a decline in their mental health and wellbeing.

A minority of children and young people from forces families will need support from CAMHS and they face extremely long waiting times to be assessed and treated<sup>135</sup>. This can be exacerbated by frequent moves around the UK as support may fluctuate and waiting times differ. Moves may also result in a fracturing of the therapeutic relationship needed to support improved mental health and wellbeing.

There is a clear need for mental health and wellbeing services that understand this group's unique challenges and experiences. Following a proposal of a Patient Passport in the Learning Disability, Autism and Neurodivergence Bill Consultation, we recommend that this extends to highly mobile groups such as children and young people in armed forces and veteran families, to make moving between NHS areas easier on the child and family and to provide a higher standard of care<sup>136</sup>.

## PROVISION OF HOUSING

### The rights context - Article 27

**Article 27 of the UNCRC outlines the right of every child to a standard of living adequate for their physical, mental, spiritual, moral and social development<sup>137</sup>.**

While the primary responsibility to secure this rests with parents, governments should provide material assistance and support programmes, particularly with nutrition, clothing and housing, when there is a need<sup>138</sup>. **The provision of good quality homes for service personnel and their families is an important priority for the MOD<sup>139</sup>.**

<sup>135</sup> Public Health Scotland (2024) Child and Adolescent Mental Health Services Waiting Times in NHS Scotland

<sup>136</sup> Scottish Government (2023) Learning Disabilities, Autism and Neurodivergence Bill: Consultation, page 59

<sup>137</sup> <sup>138</sup> UNICEF, Convention on the Rights of the Child

<sup>139</sup> UK Government (2012) Service Family Accommodation Guidance



## RIGHTS TO PROVISION OF SERVICES

### Housing situations for children and young people from forces families

Children and young people from armed forces families can experience several different housing situations. Service personnel who are 18 or older and are married, in a civil partnership or have permanent custody of children, and who have at least six months left in service, can apply for Service Family Accommodation (SFA). The type of home is usually dependent on rank for officers and the size of the family for other ranks<sup>140</sup>. A total of 57% of families live in SFA during the working week<sup>141</sup>. 6.4% of SFA is in Scotland<sup>142</sup>.

Other families may choose to live in private accommodation, which is owned or privately rented, or some may live in social housing. These housing options may be near a military base or may be some distance from the base where the serving personnel has to be.

### Quality of SFA and the impact on children and young people

SFA can provide children with a sense of continuity due to the similarity of all the houses.

However, SFA has consistently been raised as a major concern for families. Issues raised include the quality of the housing, the timeliness of repairs, slowness in logging complaints and the inability to decorate to individual tastes<sup>143</sup>.



“I like that the houses are the same as my friends. I’ve been in nine military houses but they were all similar, so feels like one house. Sophia”



**Some 74% of families living in SFA are dissatisfied with the response to repairs and maintenance requests. Satisfaction with the overall standard of housing and quality of repairs has fallen to the lowest level since these questions were first asked in 2015. Only 16% of families were satisfied<sup>144</sup>.**

**We asked young people to choose bears<sup>145</sup> that depicted how they felt about SFA. These were the ones they chose:**



Images reproduced from ‘The Bears’ with permission of the publisher, Innovative Resources ([innovativeresources.org](http://innovativeresources.org)). All rights reserved.

140 Pinnacle Group, [Applying for Service Family Accommodation](#)

141 Ministry of Defence (2023) [Tri-Service Families Continuous Attitude Survey 2023, page 26](#)

142 UK Government (2021) [Service Family Accommodation Statistics 2010 to 2021](#)

143 UK Government (2020) [Armed Forces Continuous Attitude Survey 2020](#)

144 Ministry of Defence (2023) [Tri-Service Families Continuous Attitude Survey 2023, page 27](#)

145 Ministry of Defence (2023) [Tri-Service Families Continuous Attitude Survey 2023, page 3](#)



## RIGHTS TO PROVISION OF SERVICES

They find it frustrating that the houses need to be returned to their original decoration when moving out. For families who move frequently, they can lack the motivation to decorate and redecorate every time they move.

**Frustrating as you can't make it your own, can't decorate. It didn't feel like house of our own, it makes us upset.**  
Marie

**Most equipment in the house was breaking. The sink was replaced three times and the shower was breaking. Electricity kept going out. Mould throughout the house. Rooms smell rank.**  
Elizabeth

**It was not nice, there were a bunch of stains on the carpet and the bathroom door wouldn't lock. We couldn't even fit all four of us in the kitchen!**  
Lilly

**You can't decorate and our last house had black mould and a crack down it. It was only fixed after we moved out and it made the next people sick. The top floor caved in after we left.**  
Sophia

The children and young people want to be able to make a home their own as a way of mitigating all the changes they experience.

Children and young people have told us of the poor conditions faced in SFA.

Substandard conditions such as mould pose a hazard to health, but children

## ENVIRONMENT

Climate change poses one of the biggest challenges globally today and our young people will be the ones to face this head on. The Human Rights Bill consultation specifically included questions about the right to a healthy environment. Children and young people were more than happy to raise challenges about the environment. In General Comment No. 26<sup>1</sup>, the CRC highlights that environmental harm and climate change being experienced across the world can lead to unstable situations, conflict and inequalities which may result in higher levels of deployment of UK forces for peace keeping or in response to natural disasters. This means that this group of young people may experience more separation from their parents because of climate change. ✓

**“Plant more trees like the end of ‘The Lorax’.”  
– Bailey**

**“Glass bottles of milk delivered to doors and old glasses reused (green world).” – Ellis**

1 UNOHC (2023) CRC/C/GC/26: General Comment No. 26 (2023) on children's rights and the environment with a special focus on climate change



## RIGHTS TO PROVISION OF SERVICES

and young people have told us these faults were not dealt with either quickly or properly. Delays to repairs caused children and young people to be frustrated and left feeling that their complaints were not being taken seriously. Some children described being embarrassed to bring friends home due to the state of disrepair, therefore having a negative impact on their right to association and their social development.

“It hurts your pride to have a fault in the house, I wouldn’t want friends over. Sophia —”

Children and young people from armed forces families living in SFA risk their right to a standard of housing adequate for their physical, mental and social development not being upheld. As SFA is managed by the MOD’s private contractors, accessing repairs can be more challenging than for families in privately rented, owned or social housing. Children and young people talked about the additional complication of subcontractors making it difficult to know who to complain to, and feeling like their parent is passed around between subcontractors when trying to report a fault and access repairs.

The UK and Scottish Governments must investigate the standard of

“Boiler stopped working during ‘beast from the east’ and no one would fix it. Holly —”

housing provision and work with the MOD to make sure SFA in Scotland is up to standard for all families. We welcomed the announcement in May 2024 that 1,000 SFA houses had been newly refurbished, however, there was no mention of any of these properties being in Scotland<sup>146</sup>.

## RECOMMENDATIONS TO ENSURE THE PROVISION OF SERVICES FOR CHILDREN AND YOUNG PEOPLE FROM FORCES FAMILIES

The UK and Scottish Governments must ensure sufficient resources to mitigate the impact on children and young people of service-related challenges through whole family wellbeing support and targeted mental health support.

The UK and devolved governments must design a robust information transfer system within education that follows the child to minimise disruption to education when moving across the home nations.

The UK and devolved governments must develop a ‘Patient Passport’ that follows children and young people around the whole UK NHS system, detailing their medical history retaining their spot on waiting lists and any treatment they are receiving. ✓

146 UK Government (2024) More than 1,000 newly refurbished homes for UK families



### ENVIRONMENT

The environment will continue to be on many young people’s minds, with climate change being one of the biggest challenges to face this generation. Many young people are concerned with what the future holds for the globe. It is vital that decision-makers listen to their voice on this matter. 📌

➤ The UK and Scottish Governments must look at the substandard conditions in SFA housing and work with the MOD to make sure this housing is up to standards for all families.

The MOD must review the UK Armed Forces Family Strategy to acknowledge children in their own right, not only as members of a family, and more specific measures for children need to be included in the action plan.

The MOD must review existing parental support initiatives to help ensure whole families feel supported and equipped with their mental health and wellbeing, particularly during key military events such as deployments and transitions.

The MOD must develop and deliver appropriate support for children who lose their connection to the armed forces, regardless of why this is lost. Policies must be reviewed or developed to support this.

The Scottish Government should specifically mention forces families as recipients of its whole family support strategy and funding.

The Scottish Government must recognise childcare as a right and more must be done to make good quality childcare available in all areas across Scotland.

The Scottish Government must strengthen its commitment to guarantee funding for young people from a forces background going into higher and further education.

The Scottish Government must strengthen the implementation of the ASL Act and support schools to collect data on additional support for learning and attainment for armed forces and veteran children, raise awareness of the ASL framework and its relevance for this community, and commit to investing in support for those pupils who have experienced education disruption.

The Scottish Government and Regional Health Boards must work together to develop mental health and wellbeing services that understand and address this group's unique challenges and needs, and these must be delivered by services and in spaces co-produced with children and young people.

Scottish health boards, in realising their duties under the Armed Forces Covenant, must commit to maintaining a child's place on NHS waiting lists or receipt of treatment following a service-related move to or within Scotland.

Local authorities must work with schools and children and young people to co-produce a whole-school approach to support children from forces families, using the How Good Is Our School improvement framework and Thriving Lives Toolkit.



# RIGHTS TO PARTICIPATION

**Article 12** of the UNCRC says that a child who is capable of forming his or her own views has **the right to express their views freely** on all matters affecting them and for these **views to be given due weight** in accordance with the age and maturity of the child.

**Articles 13 and 17** provide the parameters for how children should be supported to ensure that they can meaningfully form a view, including **access to information**.

**Articles 15 and 31** support children's right to participate in wider society through **freedom of association, play, recreation and cultural activities**<sup>147</sup>. Key to the right to participation is **access to justice** when rights are breached. For this to happen, children must know all their rights and governments should do all they can to **make the principles and provisions of the UNCRC widely known to adults and children alike**, in accordance with **Article 42**.

Children and young people have told us that being part of a forces family can affect all these rights, sometimes in positive ways, such as the opportunity to live in other countries and experience other cultures, but often in negative ways, such as being a lesser-heard group and frequent moves impacting their freedom of association and access to clubs and activities. We learnt through the preparation of this report that children and their parents do not know the full extent of the provisions protected and promoted in the UNCRC.

CC My stepdad has served with the RAF since he was 18. He and my mum got together when I was two and we were living near a base in England. He has had a posting in Italy and a couple across the UK. I have moved four times now.

When I was 14, we moved as a family to the north of Scotland. My stepdad got lots of information about the new base and his new role but my mum didn't get anything and had to rely on my stepdad telling her. There was no information for me. I would have really liked information about schools, clubs and things to do in the local area. That would have made the move and leaving my old friends and school a little bit easier. It feels like there is never any information for children. I don't get to see what information my stepdad gets.

I was excited to be moving because it meant I was going to meet new people and have new places to explore. It was also sad because I was leaving friends and my cricket club. I can't play cricket to the same standard up here and I was on track for playing professionally while in England. My little brother can't join the local cubs as there is a really long waiting list. I must admit that I can find it hard to make new ✓



CC > friends as I am already thinking about having to move on again and wondering if there is any point. Then I remind myself that I have friends in lots of places and I can keep in touch with them on social media, though sometimes we have just drifted apart anyway. Social media can be so helpful sometimes but I avoid it while my stepdad is away because I see things about war and conflict and it just makes me so worried about him.

I avoid the news for the same reason. I really enjoy working with Forces Children Scotland because they help me make connections with other young people like me. They also listen to what I have to say and try to make a difference for me in my school, local area and with the government. It is really important that children from military families are listened to and our opinions taken seriously. Our lives are different from the average young person and people need to understand the impact being in a forces family has on us.

I feel like lots of decisions that are made about my stepdad's work have a negative impact on me but I don't know what I can do about that. My stepdad and mum have talked to me before about where we could go next on a posting but, ultimately, my stepdad and the RAF will make the decision about what is best for the RAF and my stepdad's career. I don't think they take me into consideration at all when they make their decisions. I keep hearing about child-friendly complaints but I don't know whether or not I even have the right to complain. If I do, I don't know who to complain to, or if they would take me seriously.

I hear all the time about my right to be heard but my stepdad's work never asks me what I think and what would help me. I wish someone would ask me what help would work best for me. I also wish they would give me all the information I need to understand why they make the decisions they make.

## PARTICIPATION THROUGH FORMING A VIEW THAT IS HEARD AND GIVEN DUE WEIGHT

### The rights context - Articles 12, 13 and 42

**Article 12 gives children the right to express their views on all matters affecting them and for those views to be given due weight in accordance with their age and maturity<sup>148</sup>.**

This is one of the fundamental values of the UNCRC and one of the four general principles, meaning it should be considered in the interpretation and implementation of all other rights. For example, in ensuring children the enjoyment of the highest attainable health, their views on how this should happen must be sought and given due weight. **General Comment No. 12 makes it clear that this right extends to both children as individuals and as groups of children.** The CRC strongly recommends that governments make all efforts to listen to or seek the views of those children speaking collectively<sup>149</sup>.

148 UNICEF, *Convention on the Rights of the Child*

149 UNCRC (2009) General Comment No. 12: The right of the child to be heard, Refworld



## RIGHTS TO PARTICIPATION

**Article 13** gives children the right to freedom of expression, which includes the right to seek, receive and impart information and ideas of all kinds in the manner that works best for the child. Due to national security, there are some restrictions on this freedom for children from forces families, but these should only be as necessary and provided for by law. The reason for the restriction to information and legislative basis should be given to the child in an age-appropriate way.

The children and young people we talked to were aware of some rights but not others, such as the right to maintain contact when separated from a parent. In respecting their right to information and to have a say in matters that affect them, **it is imperative that we support children from forces families to learn about all their rights and how to invoke them, thereby also realising Article 42 by making the principles and provisions of the convention known to forces children and their parents<sup>150</sup>.**

### Impact on children and young people

Feeling unheard by decision-makers can be common for many groups of children and young people. For some though, their relationship with the state can create a further power imbalance, deepening this feeling of being hidden. For children and young people from the armed forces community, this imbalance has the potential to be enhanced by the scale of state-led decision-making that determines so much of their childhood, as outlined in this report. The lack of agency and voice is recognised as having the potential to cause detrimental impact to the child's educational experience, among other challenges<sup>151</sup>.



I think for some kids it would be beneficial if there were people to talk and listen to them about how they're feeling. Aaliyah



With moving, you don't have a voice to the MOD. The MOD doesn't think about education. Eli



**In the latest survey of service families' attitudes to service life, 62% felt that they did not receive information from the MOD often enough, while 55% did not think that policies aimed at them were communicated effectively to them by the services<sup>152</sup>.**

The usual process for sharing information is that it is given to the serving parent and they are responsible for passing this on to their spouse or partner and children. Young people have told us that information is often not passed on to them and the lack of information in both content and timing can make situations more difficult for them to manage.

Concerns around security can mean that there is a disconnect between the information children from forces families want, such as why their parent's deployment has been extended, and the information that the MOD gives their non-serving parent. Even further, what their parent then chooses to share with them. Without the necessary information, it can be hard

<sup>150</sup> UNICEF, *Convention on the Rights of the Child*

<sup>151</sup> McCullough, Hall and Ellis (2018) *The Education of Children from Military Families: Identity and Agency*, pages 20-21

<sup>152</sup> Ministry of Defence (2023) *Tri-Service Families Continuous Attitude Survey 2023*, page 18



for a child to form an opinion and it can be easier for an adult to dismiss their view as not being based on all the information.



Right to ask what is happening with parents. A lot don't know what's happening. Drew



I was left in the dark when my dad was under deployment. I was never told where he went, I was also left in the dark when he was medivaced back to the UK. Ash



Only ever told where I'm moving, not anything else, so not knowing if the school is close or not without finding out myself, not knowing anything about the new area. Alicia



My experience is that my dad was told what country he was going to and the city. You weren't exactly told the school you were going to, you just had to get on with it as a military child. Aaliyah



Children and young people sometimes feel that information is kept from them because they are considered to be too young. Their evolving capacities are not considered. **It is a child's right to be given information to them in an age-appropriate way and in a timely manner.** As children get older, they may want to know more about their parent's job and whereabouts and they have a right to know this.



When I was younger, not much information was shared about where my dad got deployed, moving, etc. It was all told days before, probably because of how young we were. They thought I didn't care.



Amesh



Dad left last night and I don't know when he's back. Dad didn't tell me. I rather would have known for longer, so I had time to think about it.



Anne


For other young people, their parents keep them up to date with what is going on. This is good practice **and we would encourage parents to be as open with their children as they can, depending on the child's evolving capacity.** Parents of very young children may need support to explain separations and deployments in age-appropriate ways, to better support reintegration back into the family home.



My parents were very transparent with me and my potential school about where my dad was going. Nicki



However, some parents do not have the power to make this choice. If parents are on submarines, the parent at home will be unlikely to know where the serving parent is, or when they will return. Families are provided with a 'not before date' for the return of the submarine and then 48-hours' notice when it returns. Some children and young people tell us that they are sometimes aware of when their parent is in a 'red zone' and there is no contact or specific information about where they are, but they do realise that this is in the interest of national security and safety.

 You know what information you shouldn't share, such as parent's job role is secret and where they are. Going to places such as Northern Ireland meant you had to private social media and can't say where we are from. Reece 

**Due to the nature of the serving parent's job, there is a balance to be struck between national security and the children's right to have information.** Circumstances will vary but it is important that even when children and young people cannot be told all the information, that it is explained fully to them and they are given the reasons why.

## PARTICIPATION THROUGH PLAY AND FRIENDSHIPS

### The rights context - Articles 15 and 31

The UNCRC enshrines children's right to play, rest, recreation, leisure and to maintain friendships and connections<sup>153</sup>. **Article 15 promotes the right to freedom of association and to peaceful assembly.** The only restriction to these freedoms should be in the interests of national security, public safety and order, or for the protection of the rights and freedoms of others<sup>154</sup>. **Article 31 recognises the right for children to rest and leisure, to engage in play and recreational activities and to participate freely in cultural life and the arts.** Governments shall encourage the provision of appropriate and equal opportunities for these activities<sup>155</sup>. These things are essential to the health and wellbeing of all children regardless of their age. Play and friendships serve to promote self-confidence, self-efficacy and physical, social, cognitive and emotional skills.

### Impact on children and young people

Life in a forces families can have a significant impact on the ability of children and young people to maintain friendships and associations, to continue leisure activities of their choice and to access the play and rest they need to develop.

Starcatchers' report, **Wee People, Big Feelings**, highlights the importance of play in the early years for children to make sense of parental separation through deployment. The report highlights that children can miss out on rough and tumble play traditionally carried out between children and their fathers, and childcare environments can make up for this deficit. Using toys, such as a deployment doll with the absent parent's face, can help children to make



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the connection with what they are missing and help them have conversations about what they are feeling<sup>156</sup>.

House moves because of a serving parent's promotion, even if it is only a street or two away, can have a detrimental impact on young children, who may only be allowed to play, without parental support, in their street. A move of a few blocks can mean establishing new friendships and getting to know a new play environment. These moves may happen every few years.

For older children, play and freedom of association can provide opportunities for building and sustaining friendships and promoting resilience and healthy development. They also support the realisation of other rights, such as good physical and mental health and educational attainment. Developing and maintaining friendships outside the family is important for supporting teenagers to develop independence and contributes to maintaining successful relationships, employment and being a successful contributor to their community in adulthood<sup>157</sup>. Teenagers want and need to spend an increasing amount of time with their peers.

**For children from forces families, their ability to form and maintain relationships with peers can be significantly affected by frequent moves.** These moves can be within Scotland, across the home nations or abroad.

Children and young people can face difficulties leaving behind friendships due to frequent moves. Children feel anxiety moving school and leaving behind their friends and having to create new friendships<sup>158</sup>. Children and young people are aware that this process may happen again and again causing uncertainty about making new friendships<sup>159</sup>. Some children have told us how hard it can be to form new friendships, sometimes wanting to protect themselves from the inevitable loss of friends when they move again.



Moving country, you're not able to join clubs or you join them then have to leave. Sometimes there is nothing when you move, like dancing. Morgan



No access once you move to hobbies you have done elsewhere like ice hockey. Timmy



I've not had a youth club since Germany. Youth clubs depend on how many go, youth workers keep leaving and it stops. People aren't sure of it, could be good. Cadence



I moved when I was 11. It was hard to have after-school clubs due to living far away, even harder when dad was away. When it's just one parent its tricky, especially when mum was sick, and the deployed parent can't take you. Sophia



<sup>156</sup> Starcatchers (2022) Wee People, Big Feelings

<sup>157</sup> United Nations Committee on the Rights of the Child (2016) General Comment No. 20, page 6

<sup>158</sup> Children's Commissioner (2018) Kin and Country: Growing Up as an Armed Forces Child, pages 4-5

<sup>159</sup> Children's Commissioner (2018) Kin and Country: Growing Up as an Armed Forces Child, page 5



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However, social media can help children and young people stay in contact with friends from previous locations which may help to retain friends<sup>160</sup>.

For many children moving to a new area, there was a lack of information about the activities available or they experienced lengthy waiting lists to join clubs and groups. For others, the cost of joining clubs or accessing leisure facilities was prohibitive. The lack of reliable transport can also be a barrier.

To mitigate the impact of forces life, children from these families should be supported to maintain hobbies, interests and friendships, whether that be through the provision of transport, funding for activities or to maintain digital connections. Some local authorities offer discounted memberships to council leisure facilities for forces families and this should be available in every local authority.



## PARTICIPATION THROUGH MASS MEDIA AND SOCIAL MEDIA

### The rights context - Article 17

**Article 17 recognises the important function performed by the mass media and calls on governments to ensure children have access to information and material from a diversity of national and international sources.**

There is an **additional requirement to encourage the development of appropriate guidelines for the protection of children and young people from information and material that could be detrimental to their wellbeing.** This additional requirement needs to be developed with consideration of a child's right to receive information under article 13, and of parents' primary responsibility for the upbringing and development of the child under article 18<sup>161</sup>.

Article 17 of the UNCRC recognises the important function mass media performs in giving children access to information and material from a diversity of sources<sup>162</sup>. General Comment No. 25 recognises that the risks and benefits for children in engaging with the digital environment will change as they grow and develop<sup>163</sup>, and that all actions regarding the provision, regulation, design, management, and use of the digital environment must have the best interests of every child as a primary consideration<sup>164</sup>.

<sup>160</sup> Godier-McBard, Wood and Fossey (2021) *The Impact of Service Life on the Military Child: The Overlooked Casualties of Conflict - Update and Review Report*, page 46

<sup>161</sup> <sup>162</sup> UNICEF, *Convention on the Rights of the Child*

<sup>163</sup> UN Committee on the Rights of the Child (2021) *General Comment No. 25*, page 4



General Comment No. 25 stresses the importance of protecting children from harm from the digital environment<sup>165</sup>. While there is lack of research about its impact on children in the UK, research from the United States of America indicates this can exacerbate common stressors experienced by service children<sup>166</sup>.

### **Impact on children and young people**

Social media and instant access to mass media pose challenges for children and young people from armed forces families because they provide a new level of access to information about conflicts and situations where their parent may be deployed. There is also the challenge posed by artificial intelligence and fake news, making it difficult for children to distinguish between fact and fiction.

The proliferation of social and mass media in recent years provides both benefits and challenges for children from forces families.

For children who experience high levels of mobility, social media can create opportunities to stay connected to friends from previous locations, develop peer support networks with other service children and access support services. At Forces Children Scotland, we have used digital technologies to provide connections for young people across Scotland and support their involvement in co-production projects like our [Influencing Strategy](#).

**Parents of young children have told us that news reports about international conflicts can cause anxiety or worry about their serving parent's safety, especially when they are deployed.** Young children can draw incorrect conclusions from what they have seen or heard and worry that their parent is in imminent danger. This can affect their sleep and ability to concentrate in school. Others describe having been unaware of the dangers when they were younger, something they can now feel guilty about.

Children and young people have described being hyper-aware of reports about international conflicts or natural disasters, as they are acutely aware that this might mean an imminent deployment for their serving parent. They often wait and worry for something that may not ultimately happen. This can pose a unique challenge for children and young people whose parent serves in the Royal Air Force due to nature of modern warfare. Their parent may be scrambled at a moment's notice but then be back home for dinner. Frequent reports of incursions into UK airspace means something very different for these children but they can find it difficult to seek support due to security concerns and because of the intermittent nature of these engagements. It is not possible for these children to tell school that their parent will be deployed for a set period and to have support put in place, as per their right through the ASL Act.

One young person told us that they did not watch the news when their father was away as it was him who put the news on in their house. They were not sure if this was because they thought it would make them miss him more or they were avoiding what they might see.

164 165 UN Committee on the Rights of the Child (2021) General Comment No. 25, page 3

166 Godier-McBard, Wood and Fossey (2021) The Impact of Service Life on the Military Child: The Overlooked Casualties of Conflict – Update and Review Report, page 45





Other children and young people described the challenge of having a parent posted to Northern Ireland while they stayed put. Ongoing tensions in Northern Ireland mean that serving personnel and their families cannot disclose their connection to the forces and they have to ensure their social media accounts have maximum privacy. These children are acutely aware that they are unable to post about things they may be doing in connection to their life as a forces child for fear of endangering their serving parent. Access to information about the ongoing tensions or incidents in Northern Ireland only accentuates this.

### **PARTICIPATION THROUGH ACCESS TO JUSTICE**

#### **The rights context – Access to justice and Article 42**

**Key to a child’s right to participate is their ability to access justice when their rights are not upheld.** The CRC will dedicate its 27th General Comment to the right of children to access justice and effective remedies, in recognition of its important role in “combating inequalities, challenging discriminatory practices and restoring entitlements that have been denied<sup>167</sup>”.

The CRC further notes: “A vast majority of children whose rights are violated do not have access to justice and do not receive remedies following violations of their rights or denial of entitlements. Children’s dependent status, their lack of knowledge about their rights and the capacity to claim them, as well as the lack of accessible and effective complaints mechanisms at the local level, are immediate barriers.”<sup>168</sup>

**To ensure children and young people are able to access justice they, and the adults who support and care for them, need to be able to recognise when their rights have been breached.** To achieve this, the UK, devolved and local governments must undertake to make the principles and provision of the UNCRC widely known to adults and children alike in accordance with Article 42<sup>169</sup>.

#### **Impact on children and young people**

Children and young people need to be heard and listened to. Children and young people from forces families are seldom heard and their rights not protected. It is important they are listened to when speaking up about a potential breach of their rights.

**Child-friendly complaints procedures must be developed across all areas identified in this report.** Children and young people from forces families face additional barriers to accessing justice due to the power imbalance between them and those making the decisions that most adversely affect them. Children and young people have told us that they did not know if they could complain, or to whom they could complain about the impact of forces life – such as a prolonged deployment – or even how to frame a complaint. Children and young people have expressed to us that where there are existing complaints mechanisms in places like education and health, they are not child-friendly, very useful and take too long when they are used to moving frequently. **They also stated that they don’t feel that complaints from children and young people are taken seriously.** Children and young people have told us that they

167 168 UNOHR (2024) Draft General Comment No. 27 on children’s rights to access justice and effective remedies

169 UNICEF, Convention on the Rights of the Child



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would like quicker response times and regular updates so they know their complaint is being dealt with in a timely manner, especially if it involves anyone who is particularly vulnerable.

**Children and young people also raised the importance of having complaints procedures that are accessible to younger children or those who may not be able to advocate for themselves.** For this reason, they feel an adult should be available to advocate for children and make complaints on their behalf. They believe that such adults must be knowledgeable about children's rights and the workings of the MOD to provide the best support. The young people we spoke to had mixed views on whether these advocates should be part of the MOD or independent. They felt that the MOD was more likely to take the complaint seriously if it was conveyed by someone from within, but they also thought they would be more likely to approach someone for help to make a complaint if they were independent of the MOD.

**We want to know who and what is being done about it. Regular updates especially don't happen on base.**  
Kai

**Better to complain to welfare but they don't take it seriously. Children are not taken seriously.**  
Lucas

**Accessible for all ages. There should be different ways to complain and adults should make it possible.**  
Charlie

**Safer place in school, separate from military and family home.**  
Breanna

**The MOD is more likely to listen to an MOD advocacy service. Maybe have it based in schools so you could go at the start of the day. Needs to also be confidential and easier to access.**  
Ali




**Complain to the Government or to people at base? Shouldn't be up to the child to know who to go to.**  
Claire

**Understanding and authority is important.**  
Rowan

For the children and young people, the key to accessing justice was being heard. It was important that their complaint was taken seriously, no matter how trivial it may seem to adults or if it is thought that nothing can be done about it.

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 Understand young people and the significance of something to them. 
  
 Louis 


 See my side of the story. 
  
 Rory 


Some rights breaches may be resolved early by addressing the person or organisation that is creating the barrier to their rights. This is an important step to resolving any challenges around rights as close to the issue as possible. This would allow for a faster resolution for children and young people.

Children and young people also just wanted some comforting support from adults, as a rights breach may be an emotional experience and may have been an ongoing issue for years.


 See if you are OK. Rory 
  



 Listen to you and make sure you are safe. Lena 
  



It is also important to children and young people that decision-makers are aware of rights breaches. Decision-makers such as politicians have it in their power to make changes to laws and procedures when existing laws and policies are allowing for consistent rights breaches.


 Make laws to further respect rights. Ali 
  



 Come up with ideas to prevent it happening to other people. Charlotte 
  


It is important that children and young people are included in these discussions in a way that is comfortable for them. All child-friendly complaints mechanisms should be designed for and with children and young people.

### RECOMMENDATIONS TO ENSURE CHILDREN AND YOUNG PEOPLE FROM FORCES FAMILIES HAVE A RIGHT TO PARTICIPATE

The UK, devolved and local governments must teach parents and service providers about children's rights and how forces life can detrimentally impact on children and their rights, so they are better able to mitigate the effects and support them to access justice when needed.

The UK Government, Scottish Government and local authorities must do all they can to ensure children and young people from armed forces and veteran families are supported to maintain hobbies, interests and friendships, no matter where they move.

The UK Government, Scottish Government, local authorities and services must develop child-friendly complaints procedures and appropriate advocacy services across all areas identified in this report. ✓

## RIGHTS TO PARTICIPATION

➤ The MOD, Scottish Government and local authorities must support children and young people from armed forces and veteran families to learn about their rights and how to use them.

The Scottish Government should invest in the participation of children and young people from armed forces and veteran families, ensuring inclusion of their voices in policymaking and service design, and recognising their experiences as an often lesser-heard community.



# CONSIDERATION OF THE RIGHTS OF THOSE CHILDREN WHOSE PARENTS ARE MAKING THE TRANSITION TO VETERAN STATUS



My mum served in the Royal Marines for 20 years. When I was 15, she hurt her knee while on a training exercise and could no longer serve. It felt like her leaving the Marines happened so fast. She might have got information about how to become a civilian, but I didn't. She told me later that because it happened so quickly, she didn't have the support she needed to make the transition. If she hadn't been hurt, she would have started the process a few years before she left. I thought I knew everything about moving house and school and losing friends and connections because I had done it so many times before. This was different! I lost all of these things all over again but I also lost my connection to the forces community. I didn't know who I was any more as so much of who I am was about being a forces child.

We moved off-base and back to be closer to my grandparents. We had to present as homeless to the local authority. It felt really embarrassing after all that we had sacrificed while my mum was serving. My mum and dad are really smart but initially they found it hard to manage their money, as so many things like rent and electricity had been included in my mum's job. Money was also tight because mum's injury meant that it was hard for her to get a new job on 'civvy street'. She also had difficulty understanding what benefits she could get and how they worked with the forces compensation she gets due to her injury. Everything just felt so hard and so different from the forces.

I didn't know anyone else in my new school whose parent was in the forces and no one in my new school understood what it meant to me that my mum had become a veteran.

This move was the hardest because I didn't have access to all the support I had while mum was serving and I didn't know where to go to ask for support. Because of mum's injury I had to do more to help her around the house and with my younger siblings. It was only after a couple of years that I recognised I was a young carer. Linking in with the local young carers service has been one of the best things for me. I finally got some support and the service took the time to understand what my life was like, not just as a young carer but also as the child of a veteran.



The decision by serving personnel to leave the armed forces affects the whole family<sup>170</sup>. All members of the family may need to think differently about housing, health, education and finances. For children, moving to civilian life can result in further disruption to their childhood and friendships, such as through another house and school move.



## Access to information

Many children and young people have told us that they can find it difficult to find the information they need to support a successful transition. The leaving service person is provided with information and support by the MOD. There is a dearth of information for the non-serving members of the family, despite children and young people experiencing the same feelings and barriers as their parents throughout this transition<sup>171</sup>.

“One of the main negatives was the lack of information. So after my mum left the Army and she was a veteran, we didn’t get a lot of information. It felt like we were losing that part of the community that we had had for our whole lives. Leslie”



## Access to housing

For those leaving SFA, it can mean moving out of communities with a high number of armed forces families into areas where there are fewer forces families. This can make it hard for the child or young person to be identified within their school or community as a child from a veteran family. It can also make it difficult for the child or young person to identify other forces children for peer support.

Leaving SFA may mean presenting as homeless, where the mobile lives experienced by forces families, can make it difficult to demonstrate the necessary local connection.

**While policy has changed to ensure that service families do not need to meet this criterion, the implementation has been varied across local authorities.** Veteran families can spend longer in temporary accommodation as they have not been on the housing waiting list with the local authority while they were serving. It has been recognised in research that homeless presentations and spending time in temporary housing can lead to poorer outcomes for children<sup>172</sup>. The years spent living in SFA should count towards a local authority housing waiting list.



“It’s not like moving from one job to a new job. It’s changing your lifestyle, friends, home, everything. Casm”



Other families will make the choice to buy a home but many face the challenge of managing mortgage and utility payments for the first time and this can lead to families experiencing financial hardship.

171 Children’s Commissioner (2018) *Kin and Country: Growing Up as an Armed Forces Child*

172 Procter, Pratt and Wise-Martin (2023) *Call for evidence findings: summary, analysis of themes and call to action*, APPG for Households in Temporary Accommodation, page 22



## Impact on identity and access to support

Such experiences can result in children and young people feeling isolated and distant from their armed forces identity. At the same time, they can experience a reduction in access to services to support them<sup>173</sup>. Some children may find themselves also navigating the challenges of becoming a young carer if their parent has been medically discharged from the armed forces.

CC My mum served in the RAF as a nurse. She was medically discharged when I was six. After my mum left because of her injury, it meant that I had to look after her more. It has taken years to get the help that she needs, which meant that I was doing it. *casm*

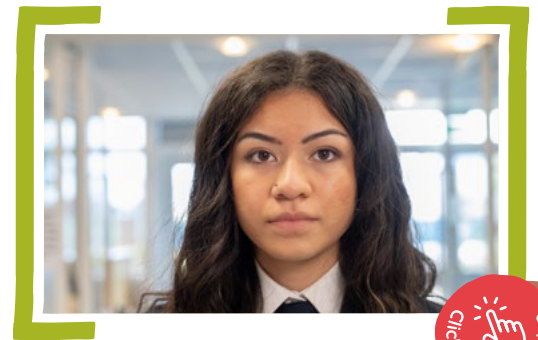
Our [Tornado of Change](#) campaign highlights the impact the transition can have on identity, belonging and the right to freedom of association. View videos from children and young people who co-produced the campaign by clicking the link.

## Access to benefits and financial support

Some children in veteran families may experience challenges to their right to benefit from social security as defined in Article 26 of the UNCRC<sup>174</sup>. Work by Poppyscotland and the Royal British Legion has highlighted disadvantage experienced by those veterans who have an illness or disability due to their service and are accessing a War Pension (WP) or Armed Forces Compensation Scheme (AFCS) as well as accessing state benefits.

There is an inconsistency in whether WP or AFCS is regarded as income depending on which social security benefit they are in receipt of and how individual local authorities administer other benefits, such as the Scottish Welfare Fund<sup>175</sup>. The UK and Scottish Governments need to ensure that military compensation is never treated as an income source in means tests for welfare benefits.

Other children may experience different financial and emotional pressures resulting from parental addiction. Research has shown that veterans experience higher rate of risky alcohol use and gambling addictions<sup>176</sup>. They tell us that there is a lack of support available to them in this situation and stigma can be a barrier to accessing what little support there is.



173 Heaver, McCullough, and Briggs (2018) *Lifting the Lid on Transition - The families' experience and the support they need*

174 UNICEF, *Convention on the Rights of the Child*

175 Scottish Veterans Commissioner (2024) *Community and Relationships: Anything but Uniform*

176 Dymond, Dighton and Wood (2021) *The United Kingdom Armed Forces Veterans' Health and Gambling Study*. Forces in Mind Trust, page 7

## Impact on children and young people

Gaps remain in our knowledge about how children and young people from armed forces families experience the transition into civilian life and their feelings towards this, with much existing research focusing on the service leaver, their spouse or the family unit. **More needs to be done to understand the experiences and views of children, ensuring Scotland is better equipped to support them at this critical moment of transition, fulfilling the ambition to be “the destination of choice for service leavers and their families”<sup>177</sup>.**

Those who leave or are discharged from the armed forces before they have served four years tend to have poorer employment, health and housing outcomes<sup>178</sup>. They have less entitlement than those who have served longer to resettlement support, which can make transition more challenging. Those who leave the armed forces earlier than anticipated, such as through medical or compulsory discharge, have a greater risk of experiencing difficulties as they have not planned for the transition. If they are leaving with short notice, the lack of clarity around when they will be discharged can add an additional barrier to planning<sup>179</sup>. It is not known how many service personnel who leave early or in an unplanned way have children. However, it is likely that there are children within these households who may experience negative consequences due to the poorer outcomes experienced by their veteran parent. More needs to be done to understand their experiences and outcomes.

Importantly, the Armed Forces Covenant was designed to include veterans and their families. We also welcome the Scottish Government’s recognition of the whole family’s role in the transition to civilian life, as stated within the ‘Strategy for Our Veterans: Taking the Strategy Forward’ report<sup>180</sup>. To help build on this recognition and to ensure children and young people feel prepared, supported and welcomed into their new lives once their parent leaves the armed forces, it is vital that children know their sacrifices as part of a forces family are recognised and that they have rights and entitlements which recognise their service and their new identity.

## RECOMMENDATIONS

The UK and Scottish Governments must do more to understand the impact on children and young people of transitioning to veteran status.

The UK and Scottish Governments must make sure that veterans who receive both WP or AFCS and social security are not financially disadvantaged.

The MOD should ensure that planning and support for families leaving active service with the armed forces starts early and prior to the decision to leave, allowing adequate time for the child to understand the change and have their voice heard within the planning process, ultimately feeling better prepared for what lies ahead. ✓

<sup>177</sup> <sup>180</sup> Scottish Government (2022) The Strategy For Our Veterans: Taking The Strategy Forward In Scotland - Our Refreshed Action Plan

<sup>178</sup> <sup>179</sup> Veterans Scotland Housing Group (2021) Veterans’ Homelessness Prevention Pathway





➤ The MOD must put mechanisms in place to identify those children affected by their parent leaving service early or being discharged at short notice and ensure the right support is in place.

The MOD should give special consideration to support for the families of Early Service Leavers, those experiencing medical or administrative discharge or in the situation of injury or death, which considers the child's needs specifically.



## CONCLUSION

It is hoped that the incorporation of the UNCRC into Scots Law will aid in principles and provisions of the UNCRC being widely known by adults and children alike. The culture surrounding children's rights in Scotland will hopefully continue to grow as more children are made aware of their rights and how to exercise them, and the adults surrounding them respect and promote these rights. Education, healthcare, play and freedom of association, privacy and separation from parents are some of the spaces in which children and young people whose parents are in the armed forces face potential and real breaches to their rights.

This group of young people is at risk of falling through the cracks of rights protections as decisions that affect their lives are made not only by the Scottish Government and local authorities, but also by the UK Government and particularly the MOD. It is vital that attention is paid to this group and mitigations put in place when they face barriers to their rights being upheld, on account of systems that are not always able to meet their unique needs.

Child rights impact assessments (CRIA) must be conducted by the UK and devolved governments, and particularly the MOD, to assess how laws and policies affect this group of children and young people. They must also look to mitigate the impact of laws and policies on children and young people's rights, which are an entitlement and not optional. Children and young people from forces families must be involved in the development, review and evaluation of these CRIAs.

Children and young people from armed forces and veteran families are a seldom-heard group and it is vital that they are listened to, as this is their right under the UNCRC Article 12. They must be involved in creating solutions and designing services that serve to mitigate the challenges identified in this report. While we recognise that many of these challenges are wicked problems, we will continue to listen to their voices, create solutions and design services with them, and amplify these with decision-makers.

It is important that to uphold this group's rights, the Scottish Parliament and Children and Young People's Commissioner for Scotland use their powers to investigate how this group is impacted by decisions made not only by the Scottish Government, but also the UK and other devolved governments, and hold these bodies to account. Children and young people from armed forces and veteran families must have access to support and child-friendly complaints if they wish to challenge a potential breach of their rights. They should not have to rely on others to do it on their behalf. All government departments and services supporting these children must develop child-friendly complaints procedures.

# METHODOLOGY

Lived experience is at the heart of this report. We have combined this with academic research which backs up the lived experience of this group of children and young people.

Between August and September 2023, we held several participation sessions in schools and online regarding the Human Rights Bill consultation. At these sessions, we spoke to 151 children and young people across Scotland between the ages of eight and 19.

In these sessions, we led different activities that [Together \(Scottish Alliance for Children's Rights\)](#) had put together to discuss rights. We began by drawing and discussing what the best and fairest Scotland would look like for everyone. We then asked the children and young people who they were close to and who makes decisions that affect them in a 'Circle of Contacts' activity. This was followed by who they would talk to if they felt their rights were breached.

The final activity was the 'Solutions Tree'. Building on the previous activities, we used the roots of the tree as examples of where their rights might not be respected. The trunk was for who should help them when this happens. The branches on the tree represented what adults should do about these breaches. The leaves or fruit on the tree represented what children and young people should experience when the breach has been resolved and many chose to write how they should feel.

These activities created a wealth of information and insightful views from the young people that went beyond the questions in the Human Rights Bill consultation. We decided to put this additional information into a report.

Shortly after our submission of the consultation response, the UNCRC Bill was brought before the Scottish Parliament for reconsideration. On 15 January it received Royal Assent.

We decided to extend the scope of this report to children's rights, to highlight the unique challenges experienced by forces children, timed for release with the commencement of powers of the UNCRC Act.

We undertook an assessment of the ways in which children's rights were impacted by service life, including reference to enquires through our advisory service and other things that parents had told us at community events, and used this assessment to plan further work with the children and young people. We held a Rights Residential with eight young people between the ages of 12 and 19. At this residential we designed and delivered several activities to explore their rights in relation to life in a forces family. For example, we played 'Rights Jenga' for the young people to identify which rights are affected by life in the armed forces and to illustrate the indivisible nature of rights. We also had a game of giant Snakes and Ladders to explore examples of where their rights had been upheld or breached. We used other child-friendly activities to discuss the topics of privacy, family support, housing and what a child-friendly complaints system would look like.

**This report has had input from more than 160 children and young people between the ages of eight and 19 from across Scotland.**



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