

Reframing Childhood Past and Present

Chronologies

November 2019

Introduction

Over the last 150 years, the experience of being a child in the United Kingdom has changed hugely in terms of how children are viewed, valued and cared for. During this period, policymaking and research relating to children have also undergone dramatic changes.

The British Academy has undertaken a programme of work that seeks to re-frame debates around childhood in both the public and policy spaces and break down academic, policy and professional silos in order to explore new conceptualisations of children in policymaking.

This programme has investigated different aspects of these changes through a number of research activities, including policymaking landscape reviews for each of the four UK nations; case studies on approaches across the four UK nations towards children leaving care and childhood poverty, and evidence on the effectiveness of these different approaches; and a series of stakeholder workshops with policymakers, practitioners and academics.

More information on the Childhood programme can be found at www.thebritishacademy.ac.uk/programmes/childhood

The Chronologies

The purpose of this document is to catalogue the major policy initiatives around children in the United Kingdom from the 19th century onwards. The chronology points within this document are primarily acts of parliament and white papers, though other significant reports and policy developments have been listed where it has led to significant changes in thinking and practice towards children.

The chronologies have been developed primarily through desk research, expert interviews and a series of workshops with academics, policymakers and practitioners in Edinburgh, Cardiff, London and Belfast in June and July of 2019.

The chronologies cover the following key policy areas: **Early years and education; social security and child poverty; health; care and protection; rights; youth justice; and culture, media and technology.**

The **geographical extent** of relevant legislation, or the jurisdictions of which they form part of the law, is noted where known. The extent of an Act can be different from its application, where an Act produces a practical effect. For example, the extent may be listed as England and Wales, even if in practice it applies only to England.

Commentary

The British Academy **Childhood** programme provides an opportunity for a cross-disciplinary perspective on UK public policy as it pertains to children and to reframe debates on the role of the state in children's lives. Here we reflect on the chronologies which chart the ways in which legislation which impacts children has grown and developed. We have tackled this in two main parts. Firstly, we reflect on three main eras in the history of policy, each with a different understanding of the key policy challenge. Secondly, we use education as a case study to reflect on these developments in more depth. We conclude by looking forward at the challenges ahead. This work allows us to take stock of where the state is in its interaction with children, and how we got to where we are. This work is a useful reminder that there is a long history of state policy in relation to children, and that we may have more to learn from the past than we have realised.

The Era of National Efficiency

The period from 1870-1911, even more so than the setting up the Welfare State in the aftermath of the Second World War, was seminal for the British state's efforts in relation to children. Such effort emerged in relation to children strikingly early in the history of welfare, and in many respects before comparable efforts extended to adults. In the earlier era of state reluctance to intervene into the private sphere, such action was easier to justify when it involved those who could not be expected to fend for themselves. But action in the name of the child was also often driven by concerns about what was termed 'national efficiency'. This highlights what is an ongoing tension: whether policy was to be determined by the interests of children (and how to assess this) or by the demands of the nation for productive citizens. We should also recall that the motivation for action at the start of the twentieth century was one of providing not just care, but often control. And we should note the significance of eugenic ideology in determining that some sections of the child population were of particular concern. In other words, looking back should alert us not just to the fact that our own efforts are sometimes less novel than we imagine, but also to the ways in which motives that are deemed progressive in their own day may look very different to later eyes.

The Era of Welfare State Universalism

Many of the policies for children that followed during the setting up of the Welfare State after the Second World War in fact had their origins in the earlier period. The greater significance of the post-war Welfare State was arguably the indirect one of extending welfare to adults through schemes such as the NHS and a more comprehensive social security system, thereby working to alleviate family poverty. This important point demands extending our analysis beyond a focus on policies explicitly designed for children. Also significant was a shift of focus in terms of class. The earlier period had seen a primary focus on the protection, improvement, and regulation of the working-class child. The interwar period would see the working class emerge as more politically powerful, and welfare consequently forced up the political agenda. But the policies enacted after the Second World War attacked not only Beveridge's famous five evil giants of want, ignorance, squalor, idleness and disease, but also the receipt of welfare as a mark of stigma. For that reason, this was a turning point for children across the social spectrum as subjects of a universal welfare state. That shift was most notable in the areas of health, education, and social security. Middle-class children became the recipients of state provision. This helped erode earlier stigmas and raised expectations, but it also stretched the resources of the state. Indeed, by the 1960s it was becoming clear that many of the problems that the welfare state had set out to conquer were still very evident within British society. As ever, this provoked particular public disquiet when it involved children.

The Era of Children's Rights

The increased volume of effort in relation to children towards the end of the 20th century may have something to do with a recognition that the particular problems of children persisted and needed to be brought back into focus. What also began to transform the policy agenda was the increasing concern over children's rights and the need to listen to children, and the recognition that past state policies may have had severe limitations in these regards. The idea of children's rights had earlier roots, as the chronology on this subject identifies, but it is also clear that change in this area was exponential towards the end of the century. This raised fundamental questions for efforts in all areas of children's policy. For example, there are long running debates about the appropriate age of criminal responsibility and the rights of young people in the justice system, with the Taylor Review in 2016 emphasising the twin rights of safety and adequate education. Of course, the increasing focus on rights also needs to be set against similar developments for adults, with various pieces of legislation providing rights and equalities under law (by sex, race and disability) and culminating in the Equalities Act in 2010.

A Case Study of Education

Some of these themes in the relationship between the state and children are best exemplified by policy pertaining to schooling. For example, the 1944 'Butler' Education Act did not, as many believe, establish the English state education system. Rather it continued the trend from the previous century of extending the coverage of universal free education (to age 15). The Act also reflected the tension seen in the earlier period between concerns about efficiency and equity. On the one hand it sought to ensure that the education system was efficient, producing the skilled workforce that the economy required, whilst on the other aimed to be equitable by improving educational opportunities for all children irrespective of social background. Indeed, the Act codified this tension in one of the more contentious aspects of the English and Welsh education systems, namely the so called "tripartite school system".

In the tripartite system, efficiency was sought by enrolling the most academically able students in separate grammar schools at age 11, whilst those destined to be the workers of the future focused on technical education in vocational schools or more commonly studied a less academic curriculum in secondary modern schools. By the 1950s there was much criticism of this system on equity grounds. A grammar school education ostensibly offered a route to success for a poor but able child but in practice few poor children actually attended grammars. Two decades after Butler, the extended process of dismantling this system began as we start to see greater emphasis on equity via the comprehensive school system. Though the debate about grammar schools continued to rage through the 1970s, there was an inexorable decline in their numbers. Today, grammars educate only around 4% of pupils. One might interpret this to mean that equity won out but recent legislation (2016) has been introduced to enable grammar schools to expand. **The debate about the balance between efficiency and equity continues.**

Towards the end of the 20th century the pace of policy change in education picked up, with an increasingly strong equity focus. New qualifications were introduced that more students could access, and upper secondary and tertiary education were opened up to a wider range of young people. Participation in higher education increased dramatically over this period, particularly for women, though levels of participation by students from poor social backgrounds still remains far lower than for the more advantaged. Education aimed to be more 'inclusive' for children with special educational needs or from very socio economically disadvantaged backgrounds (e.g. the Warnock report in 1978 or the Sure Start programme in 1998). Relatedly, the state started to intervene ever earlier in children's lives, with expansion of free nursery provision for children from the age of 2 and what amounts to a curriculum for the 0-5 age group. Indeed, we started to see a greater role for the state in protecting and improving children's welfare more generally,

with the 1989 Children's Act, and the plethora of legislation that followed some tragic high-profile cases of abuse, increasing the powers of the state to intervene to protect children.

The continued focus on **efficiency** manifests itself towards the end of the 20th century as a quest for higher "standards" and to achieve this, quasi market approaches were introduced into public services (particularly health and education). This shift created a deluge of education policy. The standards agenda continues to pull in two sometimes contradictory directions. It is built on the ideas of choice and markets, seeking to improve standards by providing incentives for public services to improve provision. Equally, it also has a centralising effect, shifting governance and power from local to central government. In education the tendency for centralisation lead to a reduction in the autonomy of teachers and a quest for greater uniformity across the system. We see state direction over the curriculum (via the 1988 Education Act which introduced a national curriculum) and indeed pedagogy (e.g. the literacy and numeracy hours introduced in 1997 that specified how these might be taught). Further, a powerful state regulatory body was created in the form of OFSTED, with arguably far more power than the Her Majesty's Inspectorate of Schools previously had. On the other hand, the introduction of parental choice of schools to increase competitive pressures lead to fragmentation and a bewildering array of different more autonomous schools (Academies, Free Schools etc.), now reporting directly to the Department for Education. This has dramatically reduced the role of local government in education.

Devolution has allowed state support for children in the different nations of the U.K. to diverge. In the latter part of the 19th century and first half of the 20th century, developments in the various countries tended to run in parallel. For example, although the Scottish education system has always had different features to that in England, similar trends are observed as Scotland too increases the number of years children stay in compulsory education and increasingly emphasises greater equity. Yet the latter half of the 20th century saw fundamental differences emerge in the approach to providing public services. Primarily, in England there was, and continues to be, a strong commitment to quasi markets and structures that support them. Policy in England has also tended to reflect a focus on parental behaviour and responsibility while Scotland and Wales have tended to take more holistic approaches.

Looking forward: public services in the 21st Century

Policy in the 21st century must face many challenges from financial squeezes to demographic changes and advances in technology. one challenge is that of maintaining universal public services against a backdrop of dwindling resources, and the clear shift to more targeted intervention. Universal policies designed to support all children (e.g. universal Child Benefit) have given way in recent decades to targeted ones aimed at poorer families (Family Credit, Child Tax Credits and Universal Credit). This trend is more obvious in education and social services, while health provision generally remains universal but under pressure. The ultimate in targeting might be exemplified by the Troubled Families programme introduced in 2012 to provide quite significant levels of support but to relatively few very highly deprived families. The motivation behind this kind of targeted support also uses the language of the 19th century, namely the need to intervene early to help children who are at risk of poor outcomes to avoid them being a major burden on the state in the future. This may be a one-off or signal a more general move back to narrow targeting of resources.

Conclusions

The increasing volume of legislation and state action in relation to children is the reflection of an undoubted success story. There was a growing appreciation over time of the need to move beyond the mere physical needs of children, to regulate more actively to

ensure safety not just in public institutions but in the private domain, and to ensure that care and protection was in the hands of qualified experts under careful state regulation. Such efforts constitute one of the most important achievements of the state. The state improved the material wellbeing of children enormously, ending systematic extreme poverty, provided free education, and saved lives previously damaged and lost to illness. Yet there was no sense of triumph. Indeed, one of the fascinating things about the chronologies is that they highlight in some respects a growing unease about child wellbeing in recent decades, despite the achievements of policy. This was partly a recognition of new needs, as concern over bodies turned towards minds and emotions. It was partly a product of raised expectations and growing concern about how public services can continue to be provided to the standard the public expects given the available resource. But there was also a mounting alarm that social and economic advances could sometimes have unanticipated damaging effects on children. Today some of the highest profile challenges of policy fall into this last category, including rising rates of obesity, growing concerns about technology, child abuse and child mental health. Looking back at the past may provide us with lessons in addressing these important issues, but we also perhaps need some fundamentally fresh thinking, not least on the universality or otherwise of public services for children and young people.

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Understandings of childhood and children's rights have evolved significantly over time. Traditionally perceived as a passive, 'unfinished product' or human 'becoming' in need of protection, children are now, by and large, recognised most fundamentally as human beings. Like adults, children and young people are rights-holders by virtue of being human. However, it is argued that because of their age, children and young people are more vulnerable than adults and may have distinct experiences that warrant specific legal protections.

The earliest expression of children's rights in international human rights law as we know it today can be found in the Declaration of the Rights of the Child. The document, which is also known as the Declaration of Geneva, was drafted and presented to the League of Nations in 1923 by Eglantyne Jebb, founder of Save the Children, and adopted in 1924. This short Declaration contained five basic principles, and, while significant for its time, was essentially paternalist, focusing on the protective duties of adults towards children, rather than children as rights holders with capacity to make decisions for themselves. Following the Second World War, attempts were made by the United Nations to adopt a revised Declaration. The second Declaration on the Rights of the Child was adopted by the General Assembly of the United Nations in 1959. This Declaration consisted of ten principles and more wide-ranging rights for children. In particular, it introduced the now well-known concept of 'best interests' to an international stage. Although these declarations are not legally binding, they reflect international consensus and represent morally binding agreements and obligations. In parallel, at the UK national level, was the development of significant rights protections which, while not exclusively so, extended to children and young people; for example, the Race Relations Act (1968, 1976) and the Chronically Sick and Disabled Persons Act (1970).

The United Nations Convention on the Rights of the Child (UNCRC) is the first binding human rights instrument dedicated solely to the promotion and protection of children's rights. The treaty, which the UK ratified in 1991, contains a total of 54 articles – a mix of economic, social, cultural, civil and participation rights. All countries who have ratified it are obliged to undertake actions to implement it in law, policy and practice, with each of the UK regions doing so in different ways. Through the UNCRC, children are recognised as active human beings with the right to express their views on all matters affecting them. The rights in the UNCRC (and other treaties) are not contingent on children having associated responsibilities.

In its 2009 report, the Joint Committee on Human Rights recommended that the UK Government devise a comprehensive and detailed plan for implementation of the UNCRC recommendations across the UK in conjunction with the devolved nations and called for incorporation of the UNCRC. In 2010, the then Children's Minister, Sarah Teather MP, gave a commitment on behalf of the Government that it would always give due consideration to the UNCRC in the making of new policy and legislation. Wales was the first region to give some legal effect to the UNCRC, although stopping short of full incorporation, in the form of the Rights of Children and Young Persons (Wales) Measure, which requires Ministers to give due regard to the UNCRC. This was followed by the Children and Young People Act (2014) in Scotland which requires Ministers to keep consider actions which would or might secure better or further effect in Scotland of the UNCRC requirements. In 2015, the Children's Services Co-operation Act was adopted in Northern Ireland, requiring regard to be had to any relevant provision of the UNCRC in determining the meaning of well-being for the purposes of the Act (see the Care and Protection chronology.)

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While clearly there has been progress in implementing children’s rights –, each region of the UK also has a Commissioner for Children and Young People - there are still significant shortcomings. In 2015, the Joint Committee on Human Rights, while welcoming the progress made by Government in recognising children’s rights, stated in its report on the UK’s compliance with the UNCRC that more still needs to be done. This was reiterated by the Committee on the Rights of the Child, which monitors countries’ progress against the UNCRC, when it expressed serious concern in its examination of the UK in 2016 at ‘the effects that recent fiscal policies and allocation of resources have had in contributing to inequality in children’s enjoyment of their rights, disproportionately affecting children in disadvantaged situations.’ Significantly, in Scotland, in April 2019, the First Minister announced that the Scottish Government would seek to pass legislation to incorporate the UNCRC within the current session of the Scottish Parliament. In May 2019, the Scottish Government published a consultation paper on how best to incorporate the UNCRC into domestic law.

Dr Bronagh Byrne, Co-Director, Centre for Children’s Rights, Queen’s University Belfast

1923	<p>Declaration of the Rights of the Child</p> <p>Drawn up by Eglantyne Jebb, the founder of Save the Children, and adopted by the League of Nations in 1924.</p>
1926	<p>Adoption of Children Act</p> <p>Provided first legal basis for adoption. The act applied to England and Wales. (England and Wales)</p>
1929	<p>Ages of Marriage Act</p> <p>The age limit for getting married raised to 16 for both sexes. This is still the minimum age.¹ (England, Wales and Scotland)</p>
1933	<p>Children and Young Persons Act</p> <p>Required courts to have regard to a child’s welfare, raises the age of criminal responsibility to 8 years old and abolished the death penalty for those under 18. (United Kingdom)</p> <p>Corresponding provision was made for Northern Ireland by the Age of Marriage Act (Northern Ireland) 1951. (United Kingdom)</p>
1959	<p>Declaration of the Rights of the Child</p> <p>Adopted by the United Nations General Assembly.</p>

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<https://www.parliament.uk/about/living-heritage/transformingsociety/private-lives/relationships/overview/lawofmarriage/>

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Culture, media
and technology**1968****Race Relations Act**

Built on previous 1965 Race Relations Act. Made it unlawful to for anyone providing to the public any goods, facilities or services, including education facilities, to discriminate against any person - by refusing or deliberately omitting to provide them in the like manner, quality and terms as others – on the grounds of colour, race or ethnic or national origins. The Race Relations Board and Political Economic Planning had established that immigrant children were especially at risk of discrimination.

(England, Wales and Scotland)

1969**Children and Young Persons Act**

Introduced supervision orders and care orders. Secure units and approved schools were combined into local authority community homes. The stipulation that the age of criminal responsibility would be raised to 14 was never implemented.²

(United Kingdom)

Voting age lowered to 18 (from 21) for all men and women.

(United Kingdom)

1970**Chronically Sick and Disabled Persons Act**

The first act in the world to recognise and give rights to disabled people, including disabled children. Local authorities were given the responsibility of providing welfare services, housing, practical assistance for people in their own homes, meals (provided at home or community centres) and adaptations to people's homes. Councils had a duty to provide educational facilities for children who were both blind and deaf, later extended to include autism and dyslexia.

(England, Wales and Scotland)

1975

Employment Protection Act introduced maternity leave for the first time.

(England, Wales and Scotland)

1976**Race Relations Act**

Specifically outlined that it was unlawful to discriminate against a person in relation to an educational establishment, for example in the terms on which it offered them admittance as a pupil or refusing to accept an application for their admission.

(England, Wales and Scotland)

1985**The Gillick Case**

Established that children under 16 may give a valid consent to medical treatment when of sufficient understanding, without parental knowledge.

(England and Wales)

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Culture, media
and technology**1989****UN Convention on The Rights of the Child (UNCRC)**

An international human rights treaty that granted all children and young people (below the age of 18) a comprehensive set of rights. The UN General Assembly adopted the Convention, and opened it for signature in November 1989. It came into force after ratification by the required number of nations, on 2 September 1990. The UK ratified the Convention in December 1991, and it came into force in the UK in 1992. However, it was not incorporated into UK law and the UK did not initially sign up to all optional protocols.

1995**Disability Discrimination Act**

Gave rights to disabled children and adults, to prevent discrimination on the grounds of disability. For example, it applied to all providers of early years services – they had a duty not to treat a disabled child ‘less favourably’ than someone who is not disabled for a reason related to their disability.

(United Kingdom)

Children (Scotland) Act

Act based on UNCRC and defined parental rights and responsibilities in respect of children in Scotland. Act considered children as every child under 16, young people on supervision between 16-18 years and young people affected by a disability aged up to 19 years.

(Scotland)

1996**Education Act**

Empowered headteachers in England to search a pupil or a pupil’s possessions if the headteacher had reasonable grounds for suspecting that the pupil had a ‘prohibited item’ i.e. a knife, an offensive weapon, alcohol, controlled drugs or stolen property. Headteachers in Wales could search a pupil if they suspected that the pupil had a knife or an offensive weapon. A headteacher could delegate this power to teachers.

(United Kingdom)

Employment Rights Act

Formally codified existing law on employee rights, including those related to parental leave.

(England, Wales and Scotland)

1999**Employment Relations Act**

Entitled employees to three months unpaid leave to care for a child. Established a minimum of eighteen weeks maternity leave.

(United Kingdom)

2000**Summerhill School wins case**

In March 2000, after a damning report from an Ofsted inspection which demanded changes to the Summerhill philosophy, the school won an historic legal battle against the Department for Education

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and Employment when it defended its approach at an Independent Schools Tribunal.³

(England)

Children’s Commissioner for Wales established.

(Wales)

Sexual Offences (Amendment) Act

Changed the age of consent for male homosexual sexual activities from 18 (or for some activities, 21) to that for heterosexual and lesbian sexual activities at 16, or 17 in Northern Ireland.⁴ As a result, the age of consent for heterosexual and homosexual men and women is now 16 in England, Wales and Scotland and 17 in Northern Ireland. In addition, it legislated that a person under the age of consent is not committing an offence if they have a homosexual relationship with someone over the age of consent. Finally, the Act introduced a new offence against adults “in positions of trust”.⁵

(United Kingdom)

2003

Children’s Minister post created, bringing children’s services under the mantle of the Department for Education and Skills for the first time.

(United Kingdom)

Commissioner for Children and Young People in Northern Ireland established.

(Northern Ireland)

Commissioner for Children and Young People in Scotland established.⁶

(Scotland)

2004

Civil Partnership Act

Introduced civil partnerships for same-sex couples, with very similar rights to marriage. Civil Partnerships were introduced in December 2005.

(United Kingdom)

2005

Post of **Children’s Commissioner for England** created following a recommendation in the 2004 Children Act.

(England)

2006

Education and Inspections Act

Set out teachers’ statutory powers of discipline and restraint. Building on the 1996 Education Act, it required that a member of staff searching a pupil be of the same sex as the pupil, and that the search be carried out in the presence of another member of staff who is also of the same sex as the pupil. It outlined the use of reasonable force against pupils in schools.

(United Kingdom)

3 <http://www.summerhillschool.co.uk/summerhills-fight.php>

4 [https://en.wikipedia.org/wiki/Sexual_Offences_\(Amendment\)_Act_2000](https://en.wikipedia.org/wiki/Sexual_Offences_(Amendment)_Act_2000)

5 <http://news.bbc.co.uk/1/hi/uk/1045383.stm>

6 <http://www.legislation.gov.uk/asp/2003/17/contents>

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Rights Early years and education Social security and child poverty Health Care and protection Youth justice Culture, media and technology	2007 UN Convention on the Rights of Persons with Disabilities obliged member states to promote equal rights and root out discrimination for disabled children, young people and adults. The UK ratified the treaty in June 2009 but it has not been integrated into domestic law.
	2009 Human Rights Joint Committee publishes report on Children's Rights The Joint Committee recommended that there should be a UK plan for implementation of the recommendations of the UN Committee on the UNCRC, with annual reports on progress. The Joint Committee felt that incorporation of the treaty into UK law was necessary and reiterated a previous recommendation that any Bill of Rights for the UK should include children's rights. They recommended that new, local children and young people's plans should be founded on the UNCRC. ⁷ (United Kingdom)
	2010 Equality Act The Act brought together over 116 separate pieces of legislation into one single Act, to provide a single legal framework. Under the Act it is unlawful to discriminate on the grounds of 9 protected characteristics (age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation). The Act prohibits schools from discriminating against, harassing or victimising prospective pupils; pupils at the school and in some limited circumstances, former pupils. (Age is NOT a protected characteristic for the schools provisions). Section 149 of the Equality Act also requires public bodies in England, Scotland and Wales, including local authorities, schools and hospitals to take active steps to eliminate discrimination and to take positive measures to promote equality. ⁸ Private early years providers do not have obligations under the schools provisions but have obligations under the service provider provisions. (United Kingdom)
	2011 Education Act Allowed staff in English state schools, for the first time, to search pupils without consent for any banned item they believe could be used by pupils to disrupt lessons including mobile phones and tablets as well as weapons, drugs, alcohol and stolen goods. It allows staff of the opposite sex to a pupil to conduct a search if they believe the risk is so great that serious harm would be caused if they waited to find a member of staff of the same sex as the pupil. Clarification is also provided as to when "reasonable force" can be used. (United Kingdom)

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<https://publications.parliament.uk/pa/jt200809/jtselect/jtrights/157/15703.htm>

8

<http://www.crae.org.uk/childrens-rights-the-law/laws-protecting-childrens-rights/equality-act-2010/>

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Rights Early years and education Social security and child poverty Health Care and protection Youth justice Culture, media and technology	<p>Rights of Children and Young Persons (Wales) Measure</p> <p>Placed a duty on all Welsh Ministers to have due regard to the substantive rights and obligations within the UNCRC and its optional protocols. (Wales)</p>
	<p>2012</p> <p>Children’s Rights Scheme (Wales)</p> <p>Sets out the arrangements Welsh ministers have made, or propose to make, for the purpose of securing compliance with the duty. (Wales)</p>
	<p>2013</p> <p>Marriage (Same Sex Couples) Act</p> <p>Legalised same-sex marriage in England and Wales. (United Kingdom)</p>
	<p>2014</p> <p>Children and Families Act</p> <p>Remit of the Children’s Commissioner in England extended from representing the views and interests of children to promoting and protecting the rights of children, especially those in or leaving care, living away from home or subject to social care services. (United Kingdom)</p> <p>Marriage and Civil Partnership (Scotland) Act</p> <p>Legalised same-sex marriage in Scotland. (Scotland)</p> <p>The Children & Young People (Scotland) Act</p> <p>Introduced a duty for Ministers to consider the impact of their actions on the rights of children in Scotland. (Scotland)</p> <p>The Social Services and Well-Being (Wales) Act</p> <p>Focused on enabling all people to secure their voice in decisions about them, to live safely with their families and to be active members of their communities. The Act includes measures specifically about the wellbeing of children and young people. (Wales)</p>
	<p>2015</p> <p>The Well-being of Future Generations (Wales) Act</p> <p>Requires public bodies in Wales to consider the long-term impact of their decisions and to improve social, cultural, environmental and economic well-being by tackling persistent problems such as poverty, health inequalities and climate change.</p> <p>The Joint Committee on Human Rights released its report ‘The UK’s compliance with the UN Convention on the Rights of the Child’, assessing progress made by the Government since its 2010 commitment to give “due regard” to the UNCRC in policymaking; exploring changes to the Office of the Children’s Commissioner for England; and analysing how children’s rights have improved or deteriorated. (Wales)</p>

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Scottish Government published a **consultation paper on incorporating the UNCRC into domestic law.**

(Scotland)

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Early years and education

Starting with the bleakly utilitarian ‘payment by results’ Revised Code of 1862 - excoriated by Matthew Arnold, ridiculed by Charles Dickens – the Early Years and Schooling chronology tracks 150 years of educational change and controversy, for education is, always has been and always will be an intensely political matter.

Initial legislation established a system of publicly funded elementary schools catering largely for the urban poor which built on the educational practices and extensive infrastructure established by the churches, especially the Church of England. The Hadow Reports of 1926 and 1931 then marked a moment when legislators combined with educators to offer a more humane view of children and their needs, and differentiated early and middle childhood from adolescence. But by that time, too, there was much discussion about the extent to which public education not only reflected but also consolidated social stratification, and although the 1944 ‘Butler’ Education Act – the mid-point in our chronology and by common consent one of the most important pieces of UK educational legislation ever – secured free and compulsory education for all children from age 5 to 15, it also pressed that provision firmly into the pre-existing social mould, justifying its determinist view of children’s ‘abilities and aptitudes’ by reference to subsequently discredited theories of human intelligence. Looking back in 1991, historian Brian Simon concluded:

The hierarchical structure, established during the [19th] century, emerged unscathed, if modified in detail. A closely knit system of public schools, if briefly threatened, now again retained primacy. The two levels of grammar schools, direct grant and maintained, existing before the war with roots further back, still catered for different elements among the middle classes ... The senior elementary schools, now ‘secondary modern’, were overwhelmingly attended by the working class, among whom manual workers still preponderated. Gender discrimination characteristic of pre-war schooling was also now reproduced anew.⁹

After the war, evidence on the damaging impact of selective secondary education on the self-esteem and life-chances of those who ‘failed’ the 11 plus, and the equally damaging backwash effect on curriculum and teaching in primary schools, fuelled a revival in the drive for non-selective comprehensive education that had been initiated during the 1920s and 1930s. The next critical moment, Labour’s Circular 10/65, heralded the beginning of the end for the Butler Act’s ‘tripartite’ system (which was more usually bipartite because so few of the technical schools were established) and of selective secondary education, though in some local authorities they survived to this day, as they did in Northern Ireland. Scotland, meanwhile, increasingly went its own way, so that by 2019 its educational system and culture were very different from those of England and Wales.

There followed a brief blossoming of new thinking and practice. The raising of the school leaving age to 16 in 1972 was accompanied by a raft of innovative curriculum schemes for secondary schools, while the 1967 Plowden Report on primary education and its Welsh equivalent Gittins were probably less important for the so-called ‘progressive’ pedagogies that became – and remain – a target for the political right than for their recommendations on parental involvement, ‘joined-up’ educational, health and social services (not achieved for another four decades), their insistence on the profound importance of pre-school

9 Simon, B. (1991) *Education and the Social Order, 1940-1990*. London: Lawrence and Wishart, 142-3.

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education, and their proposals for ‘compensating’ for social disadvantage. The latter, too, had later echoes in schemes like London Challenge and the Pupil Premium.

If the period 1967-77 was one when both primary and secondary education were to a degree liberated from central intervention, James Callaghan’s 1976 Ruskin College speech marked an abrupt change. A devolved system was first challenged to put its house in order in respect of curriculum content and educational standards, then from 1987 directly regulated by a (Conservative) government through legislation that, in the words of the then (Labour) Shadow Secretary of State ‘centralised power and control over schools, colleges and universities in the hands of a Secretary of State in a manner without parallel in the western world.’¹⁰ Given what his own government did after 1997, when public education was challenged, regulated and indeed dominated, he might have said ‘You ain’t seen nothing yet.’ Equally, he might have acknowledged that for the first time a national curriculum provided children with a statutory entitlement to a broad education.

During that decade or so - 1997 to 2009 – schools were subject to successive interventions and initiatives that they found increasingly irksome. At the same time, away from curriculum, testing and inspection, policy pursued a childhood agenda which had a very different tone and to which education professionals were much more receptive. Returning to Plowden’s concern for children who slipped through and between the various educational and welfare nets, and spurred by high-profile cases of child abuse, the government made local authorities responsible for ‘joined-up’ services and in quick succession appointed a Children’s Commissioner, passed a Children Act, a Childcare Act and a Children’s and Young Person’s Bill, meanwhile seeking to give developmental and educational coherence to early years provision through an Early Years Foundation Stage.¹¹

Some of this work survived the 2010 and 2015 elections; some did not. The 2011-13 review of the national curriculum offered a narrower and more instrumental ‘back to basics’ vision than the initial, 2009 version, while in another demonstration of the proposition that educational policy tends to be cyclic rather than linear, government spearheaded a revival of selective grammar schools. Meanwhile, the obligatory daily act of collective worship, part of the 1870 settlement between government and the churches whose schools were incorporated into the state system, remained in place, legally if not in schools’ creative responses to the requirement, one of several threads of continuity in 150 years of change.

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1862

Revised Code

Made grants for the education of the poor available, but conditional on schools’ test results in the “3Rs”.

(England and Wales)

10 Maclure, S. (1988) *Education Re-formed: a guide to the Education Reform Act 1988*. London: Hodder and Stoughton.

11 See the Cambridge Primary Review’s analysis: Alexander, R.J. (ed) (2010) *Children, their World, their Education: final report and recommendations of the Cambridge Primary Review*. London: Routledge, chapters 2 ‘Policies and legacies’ and 23 ‘Governance, funding and policy.’

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and technology**1870****Elementary Education ('Forster') Act**

Demonstrated the government's commitment to education provision on a national scale. Established a system of school boards to build and manage schools where necessary, and charging them with providing education for children aged 5-13. The 1872 Education (Scotland) Act extended similar provisions to Scotland though making education compulsory for children aged 5-13.

(England, Wales and Scotland)

1876**Royal Commission on the Factory Acts**

Recommended that education be made compulsory to stop child labour.

Factory Acts followed in 1878, 1891 and 1895. These placed further restrictions on the employment of children in factories.

The 1891 Act raised the minimum age of employment in a factory to eleven.

(United Kingdom)

1880**Education Act**

Made school attendance compulsory between the ages of five and ten.

(England and Wales)

1891**Elementary Education Act**

Effectively made schools free to attend.

(England and Wales)

1893**Elementary Education (School Attendance) Act**

School leaving age increased to eleven.

(United Kingdom)

Elementary Education (Blind and Deaf Children) Act

Established special schools and extended the right to education to deaf and blind children.

(England and Wales)

1899**Elementary Education (School Attendance) Act (1893) Amendment Act**

School leaving age raised to twelve.

(United Kingdom)

Elementary Education (Defective and Epileptic Children) Act.

Compulsory education extended to physically-impaired children.

(England and Wales)

1902**'Balfour' Education Act**

Set up Local Education Authorities (LEAs). LEAs replaced school boards and were given significant powers to establish new secondary and technical schools as well as develop the existing elementary school system.

(England and Wales)

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Rights		In Scotland school boards survived until 1918 when they were replaced by elected county authorities, and in 1929 by county councils. (Scotland)
Early years and education	1918	Education Act Abolished elementary school fees and raised the school leaving age to 14. Schooling was made compulsory for all disabled children. (England and Wales)
Social security and child poverty		
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Care and protection	1926	Hadow Report on the Education of the Adolescent Recommended schooling be split into primary and secondary phases. (England and Wales)
Youth justice		
Culture, media and technology	1931	Hadow Report on the Primary School Marked recognition that the primary stage had its own childhood and developmental imperatives and was not just the lower end of the elementary school, and set up an alternative view of children's education that was closer to Plowden (1967) than to the 1870 Education Act and the Revised Code. (England and Wales)
	1938	Spens Report on Secondary Education Proposed the tripartite system taken up by 1944 Act and also an extension of education to 16. (England and Wales)
	1943	Publication of the Norwood report into examination. It recommended the tripartite system of education and the introduction of examination before leaving school. ¹² (England and Wales)
	1944	'Butler' Education Act Provided free secondary education for all children in England and Wales and extended the school leaving age to 15, proposing a further rise to 16 which was not implemented until 1972. It also created the 11 plus test which allowed those who passed to attend grammar schools. Grammar schools were part of a tripartite system of secondary education alongside secondary modern and technical schools. LEAs were required to provide nursery schools or classes for children under 5 but no guidance was given on how universal this should be. The Education Act stated that mainstream schools were likely to be the most appropriate environment in which to teach disabled children. (England and Wales) Similar legislation was enacted in 1945 in Scotland and in 1947 in Northern Ireland. (Scotland, Northern Ireland)

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Rights		The Fleming Report proposed schemes for free places for children from state schools to attend private schools. (England and Wales)
Early years and education	1945	Education (Scotland) Act Conferred on education authorities the duty to secure adequate and efficient provision of education across primary, secondary and further education. It aimed to include all children in mainstream schools. (Scotland)
Social security and child poverty		
Health		
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Youth justice		
Culture, media and technology	1947	Education Act (Northern Ireland) Made secondary education universal and stipulated that the transfer to secondary school would happen at age 11. The Act created two types of school: controlled and voluntary, and three types of secondary school: intermediate (corresponding to secondary modern schools in England and Wales), grammar and technical. (Northern Ireland)
	1947	The first designated Welsh-medium primary school to be funded by a local authority was opened in Llanelli, Wales. (Wales)
	1951	The General Certificate of Education (GCE) was introduced with O (Ordinary) and A (Advanced) Levels. It was introduced to replace school leaving certificates. These GCEs were primarily taken by pupils at grammar schools and private schools. (England, Wales and Northern Ireland)
	1956	Welsh-medium education The first designated Welsh-medium secondary school was opened in Rhyl, Wales. (Wales)
	1962	Education (Scotland) Act 1962 The Leaving Certificate was replaced by the Scottish Certificate of Education Ordinary Grade (O Grade) and Higher Grade (Higher). (Scotland)
	1963	Newsom Report on secondary education. Gave particular attention to the needs and situation of ‘average and below average children’ and to their need for qualifications. Proposed raising the school leaving age to 16 from 1965 (although not implemented until 1972). (England)
	1965	Beginning of the end for the tripartite system: more than half of LEAs in England and Wales planned to switch to comprehensive schools. Secretary of State for Education, Anthony Crosland, supported the change, and published Circular 10/65, ‘The organisation of secondary education’, which on 12 July 1965 was sent to all local education

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authorities requesting that they prepare and submit to him plans to reorganise secondary education along comprehensive lines.¹³

(England and Wales)

CSEs (Certificates of Secondary Education) introduced. Prior to this, most pupils at secondary modern schools left without formal qualifications.

(England, Wales and Northern Ireland)

1966

The Schools Council, a partnership between schools, local authorities and universities established to set up to prepare for 'ROSLA' (raising of the school leaving age from 15 to 16.) Created a series of highly innovative curriculum schemes and projects for 'Newsom'/'ROSLA' pupils (i.e. those aged 15-16). It conceived of these children's education in broad and liberal terms.

(England and Wales)

1967

Plowden Report

First thorough review of primary education in England since 1931. Recommendations included full parental participation in schooling and parental choice of schools; cooperation between educational, health and social services; availability of nursery education for all three to five year olds; change in structure from infant/junior to first/middle; and ending the 11-plus as a basis for secondary education.

(England)

The equivalent report in Wales was the **Central Advisory Council for Education (Wales)**, under the leadership of Professor CE Gittins.

(Wales)

1972

Children Act

Raised the **school leaving age to 16**.

(England, Wales and Scotland)

1976

Education Act

Ended the tripartite system in England and Wales although a few counties retained some grammar schools. Selection in state schools in Scotland ended during this period. In Northern Ireland, selection via the 11 plus continued until 2009.

(England and Wales)

Prime Minister Jim Callaghan gave a speech at Ruskin College in which he argued that parents, government and industry had an important role to play in setting the form and purpose of education, as well as teachers.

(England and Wales)

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Culture, media
and technology**1978****Warnock report**

Gave parents new rights in relation to special needs, urged the inclusion of special needs children in mainstream classes, and introduced the system of ‘statementing’ children to give them entitlement to special educational support.

(England, Scotland and Wales)

HMI Primary Survey conducted following recommendation from Plowden Report. It was highly critical of the quality and consistency of curriculum provision for primary pupils and marked the beginning of the end for school and LEA control of the curriculum.

(England)

1980**Education Act**

Introduced the assisted places scheme, which provided funding for academically gifted children to attend private schools. Open enrolment was introduced which allowed parents to choose which school their child attended providing the school was not oversubscribed, in which case the LEA would allocate a school. State schools were obliged to publish exam results to give parents more information on the quality of different schools.

The Act stated that LEAs had the power – but no duty – to establish, maintain or assist nursery schools or schools with nursery classes.

(England and Wales)

1981**Education Act**

Arising from the recommendations of the **Warnock Report** in 1978, this Act required LEAs to identify the needs of children with learning difficulties; have assessment procedures in place for ascertaining those needs; and produce ‘statements’ specifying how the needs would be met.

(England and Wales)

The **Education (Scotland) Act 1981** clarified what counted as a ‘learning difficulty’. It also required education authorities in Scotland to implement strategies for identifying children with special educational needs.

(Scotland)

1984

Abolition of the Schools Council (a broadly-based curriculum consultation and development body) and establishment of the Council for the Accreditation of Teacher Education (CATE) mark intensification of government interest in the school curriculum and teacher training.

(England and Wales)

1986**Education Act**

Abolished corporal punishment in state schools, required schools to hold parents’ meetings and set out rules for sex education, admissions and political indoctrination.

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GCSE replaced O-Levels to create a new national qualification for those leaving school at 16.

(England and Wales)

As part of the **Social Security Act 1986**, implemented from 1988, only children whose parents received income support were eligible to receive free school meals. Children of parents receiving family credit were no longer eligible.

(United Kingdom)

Education and Libraries (Northern Ireland) Order

Placed a legal duty on parents and carers to ensure that their school-aged children receive full-time education.

(Northern Ireland)

1988

Education Reform Act (England and Wales)

Introduced a **National Curriculum** as well as national testing at age 7, 11 and 14. Grant-maintained schools and city technology colleges were also established. The powers of central government increased. Parents were given the right to appeal if an LEA had not allocated a place for their child at their first preference school.

In Wales, the Act made the Welsh language a core subject of the National Curriculum in Welsh-medium schools. In non-Welsh-medium schools the language was designated a foundation subject.

In 1990, Welsh became a compulsory subject for all pupils in Wales up to the age of 14; it was raised to 16 in 1999.

(England and Wales)

The corresponding legislation in Northern Ireland was **Education Reform (Northern Ireland) Order 1989**.

(Northern Ireland)

1989

Education Reform (Northern Ireland) Order

Established compulsory school age of 4 - 16 years. Gave the Department of Education in Northern Ireland (DENI) statutory responsibility to encourage and facilitate integrated education.

(Northern Ireland)

1991

Parents' Charter increases accountability demands placed upon schools, with parents being given the 'right to know' about school inspections, test results and other indicators of performance.

(United Kingdom)

1992

Education (Schools) Act

The Office for Standards in Education (Ofsted) was created as part of a new national scheme of school inspections. Her Majesty's Inspectorate for Schools was reconstituted and Her Majesty's Chief Inspector became the head of Ofsted. The Act also introduced school league tables.

(United Kingdom)

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<p>Rights</p> <p>Early years and education</p> <p>Social security and child poverty</p> <p>Health</p> <p>Care and protection</p> <p>Youth justice</p> <p>Culture, media and technology</p>	<p>1996</p>	<p>Education (Northern Ireland) Order</p> <p>Provided the current system for identifying, assessing and making statements for children with special education needs.</p> <p>(Northern Ireland)</p>
	<p>1997</p>	<p>Excellence in Schools White Paper set out education policies including national literacy and numeracy strategies and targets. This led to the introduction of daily literacy and numeracy lessons in primary schools.</p> <p>(England)</p> <p>Review of England’s National Curriculum initiated. Revised National curriculum introduced in September 2000.</p> <p>(England)</p>
	<p>1998</p>	<p>The first National Childcare Strategy was set out in a green paper for children aged 0-14. It led to the provision of a free early education place for all 4-year-olds (3-year-olds from 2004).</p> <p>(United Kingdom)</p> <p>The National Literacy Strategy, introduced in primary schools in England. It introduced a daily “literacy hour”, with a practical structure for time and class management and teaching objectives for each term. In 2003, the Strategy was absorbed into the Primary National Strategy.</p> <p>(England)</p> <p>The Sure Start programme was established with the aim of providing integrated health, education and family services for under-5s and their families in disadvantaged areas. By 2009 there were 3,632 Sure Start centres, 54% in disadvantaged areas. Since 2010 successive governments have reduced funding for the programme.</p> <p>(United Kingdom)</p> <p>Flying Start is the equivalent to Sure Start in Wales.</p> <p>(Wales)</p> <p>School Standards and Framework Act</p> <p>Introduced limits on class size, abolished grant-maintained schools and banned corporal punishment.</p> <p>(United Kingdom)</p> <p>Education (Northern Ireland) Order 1998</p> <p>Introduced limits on class size, abolished grant-maintained schools and banned corporal punishment.</p> <p>(Northern Ireland)</p>
	<p>1999</p>	<p>Responsibility for education in Northern Ireland devolved to Stormont Assembly</p> <p>The National Numeracy Strategy, introduced in primary schools in England. It involved daily mathematics lessons, organisational and teaching methods, whole-class mathematics teaching, and a Framework for Mathematics in order to plan progression. In 2003, the Strategy was absorbed into the Primary National Strategy.</p> <p>(England)</p>

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Culture, media
and technology**2000****Learning and Skills Act**

Allowed for the **creation of academy schools** – which were funded directly by the Department of Education and an external sponsor and were independent of local authority control. New sponsored academy schools were created, and many existing comprehensive and grammar schools converted to academy status. This led to the widescale rebuilding and refurbishment of school buildings. Academy schools do not have to follow the National Curriculum, have greater control of budgets and could employ unqualified teachers.

(United Kingdom)

2001**Special Educational Needs and Disability Act**

The Act brought in changes to both the special educational needs (SEN) legislation and to the Disability Discrimination Act 1995 (DDA). The changes extended the coverage of the DDA to include education so that, from September 2002, it became unlawful to discriminate against disabled children in the provision of any service.

(United Kingdom)

2003**London Challenge**

This secondary school improvement programme ran until 2011 and from 2008 was extended to primary schools and to both Greater Manchester and the Black Country. During the time that the London Challenge ran, the inner London schools it targeted went from being some of the worst-performing schools in the country to among the best.¹⁴

2004

Education Maintenance Allowance provided direct payments of up to £30 per week to students from low income families in full-time education aged 16 to 18, across the UK.¹⁵

(United Kingdom)

Selection abolished in Northern Irish schools. The 11 plus test was later abolished in Northern Ireland in 2008

(Northern Ireland)

The Education (Additional Support for Learning) (Scotland) Act

Placed duties on education authorities, as well as health services, social workers and Skills Development Scotland in certain circumstances, to plan and make joint provision for children and young people with complex or multiple additional support needs.

(Scotland)

UK Government's **Choice for parents, the best start for children: a ten year strategy for childcare** published. It set out the Government's vision for shared parental leave; affordable, flexible, high quality childcare available for children up to the age of 14; and a highly skilled childcare and early years workforce.

(Northern Ireland)

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https://www.instituteforgovernment.org.uk/sites/default/files/publications/Implementing%20the%20London%20Challenge%20-%20final_0.pdf

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House of Commons Library Standard Note SNSG/5778

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2005	<p>Special Education Needs and Disability (Northern Ireland) Order</p> <p>Enhanced the rights of children with SEN to attend mainstream schools and provided protection against disability discrimination within the education system.</p> <p>(United Kingdom)</p>
2006	<p>Childcare Act</p> <p>First act to be exclusively concerned with early years and childcare and early childhood services. Sought to reduce poverty and inequality and increase wellbeing. The 2006 Act applies mainly to England, but similar legislation is in place in Wales, Northern Ireland and Scotland.</p> <p>(England and Wales)</p>
2008	<p>Early Years Foundation Stage established with the aim to build a coherent approach to care and learning for all children from birth to five.</p> <p>(England)</p> <p>Education and Skills Act 2008</p> <p>Government proposes that by 2013, all 17 year olds, and by 2015, all 18 year olds, are participating in some form of education or training.</p> <p>(United Kingdom)</p>
2010	<p>Education Maintenance Allowance abolished in England but maintained in Scotland, Wales and Northern Ireland.</p> <p>(England)</p> <p>Academies Act enabled the creation of free schools – new schools that were directly funded by central government and independent of local authority control. In addition, the academy programme was extended, with outstanding schools given the power to choose to convert to academy status. The criteria for conversion were subsequently widened and by 2017 68.8% of secondary pupils and 24.3% of primary pupils in England attended academies.</p> <p>(England and Wales)</p>
2011	<p>Government launches review of England's national curriculum (2011-13)</p> <p>(England)</p>
2013	<p>Government offers free early education and childcare for 2-year-olds from the most disadvantaged backgrounds, this is said to represent 20% of all 2-year-olds. The following year the criteria for the offer are extended, to account for 40% of 2-year-olds in 2014.</p> <p>(England)</p> <p>School Standards and Organisation (Wales) Act 2013</p> <p>Placed a duty on each local authority in Wales to prepare a Welsh in education strategic plan for its area, containing the authority's proposals on improving the planning of the provision of Welsh-medium education and the standards of Welsh-medium education in its area.</p> <p>(Wales)</p>

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2014	<p>Revised National Curriculum review becomes statutory, except in academies.</p> <p>Key changes made since September 2014 include:</p> <ul style="list-style-type: none"> • Major revisions to the subject content of all national curriculum subjects. • The addition of a modern language to the Key Stage 2 (ages 7-11) national curriculum. • Significant associated changes to the way pupils are assessed. This includes changes to GCSEs, A Levels and equivalents and primary assessments (SATs). <p>(England)</p> <p>Universal Infant Free School Meals introduced for children in reception, Year 1 and Year 2</p> <p>(England)</p>
<hr/>	
2015	<p>Full Implementation of the Education and Skills Act 2008</p> <p>‘Learning’ leaving age raised to 18, stipulating that young people were required to remain in full-time education or training until 18 in England. In Scotland, Wales and Northern Ireland, school leaving age is 16.</p> <p>(United Kingdom)</p> <p>Successful Futures: Independent Review of Curriculum and Assessment Arrangements in Wales is led by Professor Graham Donaldson, in which over 300 children take part.</p> <p>(Wales)</p>
<hr/>	
2016	<p>Expansion of existing grammar schools announced by government with pledge to provide £200 million of public funding. In 2016, there were 167,000 pupils attending grammar schools, out of the 3.19 million pupils in all state-funded secondary schools in England.¹⁶</p> <p>(England)</p> <p>Shared Education Act (Northern Ireland) 2016</p> <p>Placed a duty on the Department of Education in Northern Ireland and the Education Authority to encourage, facilitate and promote shared education, defined as education together of those of different religious belief, and those who are and are not experiencing socio-economic deprivation.</p> <p>(Northern Ireland)</p>
<hr/>	
2018	<p>Secretary of State for Education, Damian Hinds, announced £50 million Selective Schools Expansion Fund which could provide up to 16,000 extra grammar school places. By May, a fifth of existing grammar schools in England were preparing bids to expand.</p> <p>(England)</p>

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Culture, media
and technology**2019****Childcare Funding (Wales) Act**

Made provision for the funding of childcare for children of working parents in Wales. This Act has raised some concern that the new funded provision may encourage parents to choose English-medium rather than Welsh-medium childcare, as the majority of childcare in Wales is provided through the medium of English.

(Wales)

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Social security and child poverty

As a group unable to earn their own living, children are key beneficiaries of the social security system. Nevertheless, even when social security provision has been introduced specifically for children, their needs and rights have rarely been a primary motivating factor. Moreover, children's needs have at times been conflated with those of their mothers.

Early twentieth century social security provision for children reflected concerns about 'national fitness' both economically and militarily (in the wake of the Boer War, which revealed widespread poor health and physical fitness) in the face of emerging evidence of widespread child poverty. During the inter-war years, the introduction of child additions to unemployment insurance was partly in response to trade union pressure and was also seen as a way of avoiding raising the more expensive adult rates.

However, the existence of provision for children in families out of work but not in work raised concerns about work incentives, which in turn was used as an argument in favour of the introduction of family allowances, a milestone in state financial support for children. As wages cannot take account of family size, family allowances represented a means of raising the incomes of working-class families without putting pressure on wages. This challenge to the idea of a 'family wage' was an important quiver in the bow of the arguments of Eleanor Rathbone (a prominent champion of family allowances). As an MP, she then ensured they were paid to the mother as an 'endowment of motherhood' that would be spent on children (an issue that resurfaced on a number of subsequent occasions when government sought to pay money for children through the wage-pocket so as to moderate wage demands). The case for family allowances also drew on concerns about the birth rate and family poverty. Family allowances were largely then neglected until they were championed by the newly established Child Poverty Action Group in the late 1960s following the 'rediscovery of child poverty'. Eventually, this led to child benefit.

Ending child poverty became a key goal of the New Labour government, although it was not enshrined in law until their last year in power. It led to significant increases in social security support for children in and out of work, as part of a commitment to state investment in children's futures in what has been dubbed a 'social investment state'. While this was widely welcomed by children's organisations, the future orientation of the social investment state resulted in a positioning of children as 'citizen-workers of the future' - assets who were seen as 'becomings' more than 'beings'. Paradoxically this meant the partial disappearance of childhood and of the child qua child including the child as a rights-bearer. In contrast, the Welsh Assembly government emphasised children's rights in its early child poverty strategy.

Despite its success in reducing child poverty (even if not in line with the targets), the UK child poverty strategy was dismantled after 2010 and children have been the main victim of a range of social security cuts. Child poverty has started to rise again and is projected to rise much further by the early 2020s. However, the Scottish government has restored child poverty targets and has announced a new Scottish Child Payment for low income families, to be phased in from 2021 'to ensure that children have the best start in life' (Scottish Government Position Paper, 2019). A clear divergence has emerged between the Scottish and Westminster approaches to child poverty and social security for children.

Baroness (Ruth) Lister of Burtersett FBA CBE, Emeritus Professor of Social Policy at Loughborough University

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<p>Rights</p> <p>Early years and education</p> <p>Social security and child poverty</p> <p>Health</p> <p>Care and protection</p> <p>Youth justice</p> <p>Culture, media and technology</p>	<p>1911</p> <p>National Insurance Act</p> <p>Introduced universal maternal health benefits and a one-off maternity grant for those who were insured.</p> <p>(United Kingdom)</p>
	<p>1918</p> <p>Maternity and Child Welfare Act</p> <p>Required local authorities to provide for the good health of expectant mothers and babies and children under the age of 5.</p> <p>(England and Wales)</p>
	<p>1942</p> <p>The Beveridge Report identified five ‘giant evils’ that plagued society: disease, want, ignorance, squalor, idleness. Proposed the idea of family allowances.</p>
	<p>1945</p> <p>Family Allowances Act</p> <p>Provided a subsidy of five shillings per week to the mother for second and subsequent children until they were 16, whether in full-time schooling or working as an apprentice.</p> <p>(United Kingdom)</p>
	<p>1956</p> <p>Family Allowances Act</p> <p>Allowance for the third and subsequent children was increased. The age limit was raised from 16 to 18.</p> <p>(United Kingdom)</p>
	<p>1967</p> <p>Family Allowances and National Insurance Act</p> <p>Provision for an increased family allowance rate from 1968 onwards.</p> <p>(United Kingdom)</p>
	<p>1970</p> <p>Family Income Supplement Act</p> <p>Provided for a new, non-contributory and means-tested benefit for families in the greatest need. It helped families where the primary wage earner was employed but with an income below a prescribed level. The Supplement was equivalent to half of the shortfall between the family income and the prescribed level. It was replaced by Family Credit in the late 1980s.</p> <p>(England, Wales and Scotland)</p>
	<p>1975</p> <p>Child Benefit Act</p> <p>Replaced family allowances (and child tax allowances) with child benefit. Phased in between 1977 and 1979, this new universal, non-means tested cash benefit for all children, including the first, was introduced and made payable to the mother.</p> <p>(United Kingdom)</p>
	<p>1999</p> <p>Introduction of Working Family Tax Credits, a redistributive in-work benefit which aimed to assist families on low incomes and replaced Family Credit. It was a means-tested social security benefit paid on the</p>

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	<hr/> <p>2002 Employment Act</p> <p>Paid paternity leave of two weeks introduced for the first time.</p> <p>(England and Wales)</p>
	<hr/> <p>2010 Child Poverty Act enshrined in law Tony Blair's 1999 commitment to target the eradication of child poverty by 2020. Required ministers in Scotland and Northern Ireland to publish Child Poverty Strategies and progress reports. Child Poverty Commission established. Act required production of a Child Poverty Strategy every three years.</p> <p>(United Kingdom)</p> <p>Children and Families (Wales) Measure</p> <p>Dealt with services to tackle child poverty and made provisions for day care and family support services.</p> <p>(Wales)</p>
	<hr/> <p>2012 Welfare Reform Act introduced Universal Credit. This working-age benefit replaced six benefits and merged them into one payment including housing benefit, child tax credit, and working tax credit. Payments are to be made directly into claimants' bank accounts. Since being announced in 2010, it has been piloted but is not due to be fully rolled out nationally until 2023. A Benefit Cap was introduced previously which particularly impacted families with children. The Child Poverty Commission became the Social Mobility and Child Poverty Commission.</p> <p>(United Kingdom)</p>
	<hr/> <p>2016 Welfare Reform and Work Act</p> <p>Abolished the Child Poverty Act, including the targets to reduce poverty and the measure of poverty based on family income. The Government later agreed to regularly publish data on the number of children in poverty. The Social Mobility and Child Poverty Commission became the Social Mobility Commission under the 2016 Act. In 2017 new rules limited the awards of Child Tax Credit and Universal Credit to the first two children though within certain limits which have since been adjusted.</p> <p>(United Kingdom)</p>
	<hr/> <p>2017 Child Poverty (Scotland) Act</p> <p>Sets statutory targets for tackling poverty. The Act also requires the government to publish child poverty delivery plans.</p> <p>(Scotland)</p>

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Culture, media
and technology**2018****Every Child, Every Chance: The Tackling Child Poverty Delivery Plan**

Published by the Scottish government setting out the plans to meet the child poverty targets.

(Scotland)

Scotland's **Best Start Grant**, which provides parents or carers who receive certain benefits or tax credits with financial support during the early years of their child's life, begins to be rolled out. The Grant is made up of three separate possible payments: a Pregnancy and Baby Payment, which replaced the UK Government's Sure Start Maternity Grant, of £600 on the birth of their first child and £300 on the birth of any subsequent children, without a limit on the number of children that are supported; the Early Learning Payment of £250 payment for the costs of early learning when a child is between 2 and 3½ years old; and the School Age Payment of £250 to help with the costs of preparing for school.

(Scotland)

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The health of British children has seen a huge positive transformation since the late nineteenth century. In 1901, infant mortality rate (the number of deaths of children under one year of age per 1000 live births) stood at 169. By 2014 the rate had fallen to 3.9. Child mortality similarly saw a dramatic decline, falling by 94% between 1901 and 1973. State intervention played a crucial role in this improvement, but not always in the ways that one might expect. The state's attention turned to the problem of infant and child mortality in the late nineteenth, particularly since rising rates went alongside a fall in the birth rate. In such a context, child health was not just a humanitarian and social problem but also a priority in terms of national efficiency and the maintenance of British imperial power. Further concern came from the influence of eugenics, which suggested that the greater fertility of a social residuum was in danger of lowering the health of the 'race'.

Such thinking was a factor in the first great period of state intervention in addressing child health under the Liberal governments of 1906-14. Educational reforms in 1906 and 1907 saw the introduction of meals, medical inspection, and a school medical service through the state education system. Under eugenic inspiration, 1914 saw the introduction of special schools for so-called mentally defective and feeble-minded children. And 1918 saw the introduction of a system of local authority services including clinics and home visiting for mothers and infants. Mortality rates began to fall. The degree to which this can be attributed to the new state services or to medical progress has been the subject of debate. Most important were broader social changes and state action that began to reduce child poverty. Improvements to housing, sanitation, nutrition and clothing all contributed to a reduction in infection and increased resistance to the childhood diseases that were a common cause of death in childhood.

The next major landmark in this history was the foundation of the National Health Service in 1948. All children now had access to free care in hospital and general practice, as well as free prescriptions, glasses and dental care. In addition, they continued to benefit from the school medical service which continued up until the major reorganisation of the NHS in 1974. The period also saw a growing understanding of the importance of emotional wellbeing to child development, and this lay behind the recognition by the early 1950s that parents needed to be able freely to visit their children in hospital. The resources of the NHS assisted a major advance in programmes of immunisation. This, as well as the availability of antibiotics, assisted a continuing fall in infant and child mortality. In 1931, deaths through diseases such as pneumonia, tuberculosis, diphtheria, measles and whooping cough had accounted for half of all childhood deaths, but by 1973 this had fallen to just one in every twelve. Now a much greater threat was death by accident, which accounted for one in every three cases, with half of these due to the huge increase in road traffic. In other words, the health challenges were changing.

As the chronology indicates, the years that followed would see greater attention to the particular needs of children and a shift of focus beyond health to wellbeing. This is highlighted by the growing concern over childhood mental health. However, the old problems had not wholly been conquered. Poverty remained a key factor in inequalities in infant and child mortality. There were concerns about the re-emergence of deadly childhood diseases that might result from anti-vaccination sentiment. And in the face of the rising levels of obesity, the challenge of feeding children to ensure healthy development was as great as it ever had been.

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1906	The Education (Provision of Meals) Act Gave local authorities the power to provide free school meals and introduced the School Medical Service and School Medical Officers who conducted regular inspections. (England and Wales)
<hr/>	
1907	The Education (Administrative Provisions) Act Obliged education authorities to ensure that all schoolchildren under their care received a medical examination. (England and Wales)
<hr/>	
1913	Mental Deficiency Act Introduced services for different types of mental deficiencies and learning difficulties – previously all had been treated the same. The Act aimed to keep those with mental disorders separate from the general population. (United Kingdom)
<hr/>	
1934	Milk in schools scheme launched , this was initially intended as a temporary measure for a period of 18 months. ¹⁷ (England and Wales)
<hr/>	
1941	The first National School Meals policy was introduced and the first nutritional standards for school meals were set. (United Kingdom)
<hr/>	
1944	‘Butler’ Education Act All pupils attending state schools were entitled to a school meal at lunchtime, these were free for children whose parents were unemployed or on low incomes, other children were required to pay. The school meal was to provide a third of the daily nutritional requirements as laid down by the Department of Health. ¹⁸ (England and Wales)
<hr/>	
1946	School Milk Act Introduced free school milk in schools for all children under 18.
<hr/>	
1948	National Health Service created. For the first time, hospitals, doctors, nurses, pharmacists, opticians and dentists were brought together under one umbrella organisation to provide services free for all at the point of delivery. (England and Wales in 1946, Scotland in 1947)
<hr/>	
1953	BCG vaccine for children introduced to protect against tuberculosis. (United Kingdom)

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<https://navigator.health.org.uk/content/%E2%80%98milk-schools%E2%80%99-scheme-was-launched>

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<https://publications.parliament.uk/pa/cm199900/cmselect/cmduemp/96/9111002.htm>

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Rights Early years and education Social security and child poverty Health Care and protection Youth justice Culture, media and technology	1954	Daily hospital visits for children introduced. Prior to this, children in hospitals were often only allowed to see their parents for an hour on the weekend and were frequently placed in adult wards.
	1958	Polio and diphtheria vaccinations programme launched for under-15s. (United Kingdom)
	1967	Abortion Act Legalised abortion in England, Wales and Scotland. (England, Wales and Scotland)
	1971	Secretary of State for Education, Margaret Thatcher, abolished free school milk for over-7s. (England, Wales and Scotland)
	1980	Education Act Limited free school meals to pupils whose parents were in receipt of supplementary benefit or family income supplement. Stated that Local Education Authority-maintained schools ‘may’ provide pupils with milk, meals and other refreshments – but imposed no obligation for them to do so. (England and Wales) Nutritional standards abolished for school dinners. (England and Wales)
	1986	Disabled Persons Act Strengthened the provisions of the Chronically Sick and Disabled Persons Act 1970 and placed additional duties on local authorities requiring them to meet the various needs of disabled children and people. (England, Wales and Scotland)
	1988	Measles, Mumps and Rubella (MMR) vaccine introduced , with a child being offered their first shot between 12-15 months, and the second between 4-6 years of age. (United Kingdom)
	1995	<i>Together We Stand</i> review by the NHS Health Advisory Service on commissioning, the role and management of child and adolescent mental health services. (England and Wales) Development of four tiers of Child and Adolescent Mental Health Services (CAMHS) . (England)
	2000	Care Standards Act Reformed the regulatory system for care services and established a new system of national minimum standards for all residential homes, including children’s homes. Established the National Care Standards

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Commission and the General Social Care Council for England. Its primary function was to promote improvements in social care.
(United Kingdom)

Carers and Disabled Children Act made young disabled people aged 16 and 17 eligible to receive direct payments to purchase their own care support.
(England and Wales)

Nutritional standards for school meals were reintroduced in July 2000 and became compulsory from April 2001.
(England)

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- 2004** **The National Service Framework for Children, Young People and Maternity Services** 10-year plan set national standards for the first time for children’s health and social care in England and Wales.¹⁹
(England)
-
- 2007** **Mental Health Act**
Amended and reformed the Mental Health Act 1983. It defined mental disorder as any disorder or disability of the mind. It aimed to drastically reduce the practice of under 16s being admitted to adult-only psychiatric wards.
(United Kingdom)
-
- 2008** In England, the NHS **HPV cervical cancer vaccination** programme began for girls aged 12 to 13. This was the first time that a routine universal vaccine has been given to prevent a type of cancer.
(England)
-
- 2009** The **Care Quality Commission** was created from a merger of three previous regulators to regulate and inspect health and social care services in England.²⁰
(England)
- Healthy Child Programme** launched. Took a holistic view of child development and discussed universal entitlement, physical and mental health as well as wider wellbeing.
(England)
-
- 2010** **A review by Professor Sir Ian Kennedy - *Getting it right for children and young people: Overcoming cultural barriers in the NHS so as to meet their needs*** – was published. The review was carried out amid widespread concern about the services provided by the NHS to children and young people following several tragic and high-profile cases, for example the death of Peter Connelly (Baby P) in Haringey in 2007. The review uncovered many cultural barriers standing in the way of improving services for children and young people and noted

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https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/199952/National_Service_Framework_for_Children_Young_People_and_Maternity_Services_-_Core_Standards.pdf

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<https://publications.parliament.uk/pa/cm201012/cmselect/cmpubacc/1779/1779.pdf>

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the variation in the quality of services for children and young people across the country. The complexity of the NHS was found to be a major barrier to offering the services that children and young people need.

(England)

2012

Health and Social Care Act

Introduced the most wide-ranging reforms to the NHS since it was founded. For example, **it transferred the provision of public health services** including children's services to local authorities (LAs), who were given the power to define and decide how to provide these services.

(United Kingdom)

2014

Wales Social Services and Wellbeing Act

Provided a legal framework for improving the wellbeing of those who need care and support. It attempted to make services more integrated.

(Wales)

Free school lunches for all infants were introduced.

(England)

2015

The first national, universal and publicly funded **Meningitis B vaccination** programme for babies. The UK was the first country in the world to launch a national programme such as this.

(United Kingdom)

2017

Transforming children and young people's mental health provision green paper published. The paper's three core proposals were:

1. To incentivise and support all schools and colleges to identify and train a Designated Senior Lead for mental health.
2. To fund new Mental Health Support Teams, which will be supervised by NHS children and young people's mental health staff.
3. To pilot a four-week waiting time for access to specialist NHS children and young people's mental health services.

(England and Wales)

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The care and protection of children has a long history in British law and welfare state policy, beginning in the 1880s with the Criminal Law Amendment Act 1885. The focus and intent of these policies have varied over time, but the protection of children from risk, cruelty and exploitation is a long thread in this evolution. As can be seen from the chronology that follows, another persistent concern has been a desire to legally define childhood, locating it especially in relation to the family, parenthood and a range of adult-led institutions such as schools.

The first half century or so of law and reform documented in these chronologies reveals perspectives on controlling children and managing their behaviour sitting side by side with measures oriented to taking care of their welfare. It took time for the tensions and differences between these approaches to be recognised; indeed, some would say that they remain insufficiently recognised even today. Even the use of the term ‘care and protection’ could be misleading in that it can be used as a tool to control and penalise children. We should take from this an acknowledgment of the ambivalences in societal attitudes towards children as well as the complexities of the issues involved; for example, law and policy on children has to find a balance between the recognising the authority of families and parents – who are meant to act in children’s best interests – and the rights and capacities of children as individuals whose welfare and individuality must be maintained.

As the chronology indicates, from the 1980s there was greater attention to the particular needs of children and a shift of focus to children’s rights and well-being in general. This saw a more progressive line in developments, centred around recognising children as individuals in their own right, culminating perhaps in the Children Act 1989 which clarified the responsibilities of the state towards children and their families. We also see around this time a greater recognition of the needs and vulnerabilities of particular groups of children. For example, rights and protections for those entering or leaving care or for adopted children constitute a notable evolution.

We should never see children’s need for care and protection as fully met. This is not just because of the difficult moral and other matters that must be considered but also because the treatment of our children raises profound issues of evolving and often competing values and attitudes towards the experience of being a child.

Professor Mary Daly, Department of Social Policy and Intervention, University of Oxford

1885

Criminal Law Amendment Act

Increased the age of female consent to 16. Allowed children under 12 to testify in court.

(United Kingdom)

1889

Prevention of Cruelty to and Protection of Children Act

Commonly called the ‘Children’s Charter’, was the first Act of Parliament dealing with cruelty to children. For the first time, the state could intervene in parent and child relationships. Guidelines on the employment of children were included, as well as provisions for the arrest by police of anyone committing an offence toward a child.

It was amended in 1894, allowing children to testify in court, making

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	<p>1908 Children Act</p> <p>Established juvenile courts and attempted to manage children's behaviour, such as banning the sale of tobacco to those under 16 and stopping those under 14 from entering public houses. (United Kingdom)</p> <p>The Punishment of Incest Act made sexual abuse within families a legal matter rather than a church one. (England and Wales)</p>
	<p>1933 Children and Young Persons Act</p> <p>Consolidated all pre-existing child protection legislation and covered issues such as prevention of child cruelty and children's exposure to moral and physical danger in employment. (United Kingdom)</p>
	<p>1937 Children and Young Persons (Scotland) Act</p> <p>Provided the statutory basis for protecting young children from cruelty but still gave parents the right to administer punishment to a child. (Scotland)</p>
	<p>1948 Children Act</p> <p>Established a comprehensive childcare service and reformed the provision of care for deprived and orphaned children. A Children's Committee and a Children's Officer were created in each local authority. Shifted emphasis away from institutionalised care to keeping children with their families. (England and Wales)</p>
	<p>1968 Social Work (Scotland) Act</p> <p>Introduced 'children's hearings'. These took over most of the responsibility from the courts for deciding what action was in the best interests of children and young people under 16, and in some cases under 18, who had committed offences or who needed care and protection. The Children's Hearings System began operating in 1971.²¹ (Scotland)</p>
	<p>1969 Children and Young Persons Act</p> <p>Created new powers, known as place of safety orders, to take children into care in instances of abuse/neglect and child offending. (United Kingdom)</p>

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Rights Early years and education Social security and child poverty Health Care and protection Youth justice Culture, media and technology	1970	Local Authority Social Services Act	Established social services committees whose responsibility it was to undertake social service functions. Each local authority was to employ a Director of Social Services to oversee the running of these functions. (England and Wales)
	1974	The Report of the Committee of Inquiry into the Care and Supervision Provided in Relation to Maria Colwell	was published. Maria Colwell was killed by her stepfather in 1973. The report cited poor coordination within child protection services.
	1989	Children Act	Heralded by the then Lord Chancellor as the ‘most comprehensive and far reaching reform of child law.’ It clarified the responsibilities of the state to families, especially children and families with welfare and protection needs. Accordingly, if a local authority has reasonable cause to suspect that a child is suffering or is likely to suffer significant harm, it has a duty to make such enquiries as it considers necessary to decide whether to take any action. The Act clarified both the powers to remove and the criteria for removal, both on a temporary (emergency protection order which had previously existed as place of safety orders) and long-term basis (care order). (United Kingdom)
	1991	Department of Health published Working Together Under the Children Act, 1989.	The report said that Area Child Protection Committees (ACPCs) had to undertake an investigation if child abuse was suspected or confirmed to be the cause of a child’s death. (England and Wales) In 1999 this guidance was updated in Working Together to Safeguard Children. (England) Utting Review – Children in the Public Care: A Review of Residential Child Care was published, its key finding being the need for re-emphasis of the positive and valuable nature of residential care for children.
	1994	Local Government (Scotland) Act	Partial reform of the Children’s Hearings System. (Scotland)
	1995	Children (Scotland) Act	Defined parental responsibilities and rights in respect of children. This Act was the counterpart to the 1989 Children Act. (Scotland) The Children (Northern Ireland) Order is the principal statute governing the care, upbringing and protection of children in Northern

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Ireland. It affects all those who work and care for children, whether parents, paid carers or volunteers. It brought together most of the “public” and “private” law relating to children in a single coherent statutory framework.

(Northern Ireland)

1997

Utting Review, *People Like Us: Report of the Review of the Safeguards for Children Living Away from Home*, was published. It had been commissioned after the conviction of individuals in North Wales for crimes, including sexual crimes, committed against children in their care. The Review showed how elementary safeguards were not enforced, and that despite evidence of some good work done in many children’s homes, many children were harmed rather than helped.

1999

Protection of Children Act

Introduced the Protection of Children Act list, on which were recorded the names of those individuals deemed unsuitable to work with children. Organisations who worked with children were required to check the list before employing anybody.²²

(England and Wales)

2000

Children (Leaving Care) Act

Introduced new duties on local authorities in England & Wales in respect of care and accommodation of young people over 16 who were or previously had been in care.

(England and Wales)

The **Children & Young People (Scotland) Act 2014** amended the **Children (Scotland) Act 1995** to deliver similar provisions.

(Scotland)

The Waterhouse Inquiry into the abuse of children in care in the Gwynedd and Clwyd Council areas of North Wales – *Lost in Care* – was published. In evidence, over 80 people were named as child abusers. The report made 72 recommendations for amendments to the way that children in care were protected, including the creation of an independent Children’s Commissioner for Wales.

(Wales)

Care Standards Act created the Commission for Social Care Inspection which established new national minimum standards for residential and nursing homes and domiciliary services.

(United Kingdom)

2002

Adoption and Children Act

Aimed to improve the performance of the adoption service and promote greater use of adoption. It amended the Children Act 1989 definition of harm to include ‘any impairment of the child’s health or development as a result of witnessing the ill-treatment of another person.’

(England, Scotland and Wales)

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Education Act included a provision requiring school governing bodies, local education authorities and further education institutions to undertake their functions with a specific view to safeguarding and promoting the welfare of children.

(England and Wales)

The Report of the Child Protection Audit and Review in Scotland, the widest enquiry into child protection that had been carried out in the country, published its report ‘It’s everyone’s job to make sure I’m alright.’ The Review aimed to promote the reduction of abuse or neglect of children, and to improve the services for children who experience abuse or neglect.

(Scotland)

2003

Lord Laming published a report into the death of child abuse victim Victoria Climbié, which found that health, police and social services missed no fewer than 12 opportunities to save Victoria. Recommended the creation of a Children and Families Board, chaired by a minister of Cabinet rank, and with ministerial representatives from relevant departments.

The **Every Child Matters** green paper was published, looking at past failings and surveying the policy landscape. It was the first attempt to make cross-government policy for children, thus better integrating policy.

(England and Wales)

Female Genital Mutilation Act modernised the Prohibition of Female Circumcision Act (1985) and increased the maximum penalty for any FGM offence from 5 to 14 years imprisonment.

(England and Wales; Northern Ireland)

Sexual Offences Act

Made new provision about sexual offences, their prevention and the protection of children from harm from other sexual acts, and for connected purposes. Set the age of a “child” at 18, amending the Protection of Children Act 1978 and provides a defence for all sexual offences when the child is 16 or over and the relationship is consensual.²³

(United Kingdom)

2004

Children Act

Strengthened and updated the law on sexual offences and improved the protection of individuals from sexual offenders. Formalised Every Child Matters into law.

(United Kingdom)

2006

Safeguarding Vulnerable Groups Act

Provided the framework for a new Vetting and Barring scheme, through a new Independent Safeguarding Authority, which would decide who should be barred from working with children.

(United Kingdom)

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The Carlile Inquiry looked at the use of physical restraint, solitary confinement and forcible strip searching of children in prisons, secure training centres and local authority secure children's homes.²⁴ It recommended that overall policies and responsibility for all children should rest with the Children's Minister and that unannounced inspections should be carried out in establishments at least once a year in addition to scheduled inspections.

The remit of OFSTED was extended to include, inter alia, children's services.

(England)

Getting it right for every child (GIRFEC) is launched in Scotland. GIRFEC is a framework for organisations working with children to ensure their services are child-focused; based on an understanding of the wellbeing of a child; based on early intervention; and joined-up with other services. The Children and Young People (Scotland) Act 2014 subsequently embedded the GIRFEC approach in children's services.

(Scotland)

2008

Children and Young Persons Act

Legislated for the recommendations in the Care Matters White Paper (DfES, 2007) and aimed to provide high quality care and services for children in care. For example, it required local authorities to secure sufficient accommodation in their area appropriate for the needs of the children they look after.

(England, Wales and Scotland)

The Early Years Framework set out a vision for early years services in Scotland which emphasised early intervention and prevention, providing a supportive environment for children and supporting parents and communities with services that meet their needs.

(Scotland)

2009

Borders, Citizenship and Immigration Act

Placed a duty on the Home Secretary and the then UK Border Agency to safeguard and promote children's welfare in their functions.

(United Kingdom)

Apprenticeships, Skills, Children and Learning Act legislated for there to be safeguarding targets for English children's services authorities and for there to be two members representative of the local community sitting on each Local Safeguarding Children Board.

(United Kingdom)

2011

Children's Hearing (Scotland) Act

Brought almost all legislation relevant to Children's hearings into one place and created a new national body: Children's Hearings Scotland.

(Scotland)

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Education Act

Included measures to increase the authority of teachers to discipline pupils and ensure good behaviour, with a general power to search pupils for items banned under the school's rules. It also restricted the publicity of allegations of offences made against teachers.

(United Kingdom)

Safeguarding Board Act (Northern Ireland)

Provided the legislative framework for the creation of a new regional Safeguarding Board for Northern Ireland, with responsibility for promoting inter-agency work to protect children and monitor and evaluate services, and the establishment of five Safeguarding Panels to support its work at a Health and Social Care Trust level.

(Northern Ireland)

2012

Protection of Freedoms Act

Disclosure and Barring Services (DBS) created by merging the Independent Safeguarding Authority with the Criminal Records Bureau.

(United Kingdom)

Troubled Families programme launched. It gave local authorities greater freedom in their actions to tackle specific problems in a cross-cutting way. Local authorities were then paid by results.

(United Kingdom)

2014

Children and Families Act

Introduced reforms to help improve the provision of services for vulnerable children, such as removing barriers to adoption; reforming the family justice system and the special educational needs system; and ensuring that services placed children and young people at the centre of decision making and support. Extended provision beyond the young person's 25th birthday.

(United Kingdom)

The Social Services and Wellbeing (Wales) Act

Provides the legal framework for improving the wellbeing of those who need care and those who care for them. It sets out everything local authorities have to do to help people in need of care and support.

(Wales)

Independent Inquiry into Child Sexual Abuse.

Set up to investigate how instructions dealt with their duty of care in light of the Jimmy Savile sexual abuse scandal.

(England and Wales)

The Children and Young People (Scotland) Act

Extended the age up to which formerly looked after children and young people may request access to aftercare assistance from 21 to 26. It also established continuing care, allowing looked after young people to stay in their placement up to the age of 21; created a list of public bodies to become Corporate Parents; and established a duty on local authorities to provide services to families with children at risk of becoming looked after.

(Scotland)

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Culture, media
and technology**2015****Children's Services Cooperation Act (Northern Ireland)**

Aimed to improve cooperation among government departments and agencies in delivering services, and placed a duty on the Executive to develop and adopt a strategy to improve the wellbeing of children and young people. Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) Mandated that arrangements be made to appoint an independent guardian to assist, represent and support a child who is separated or whom there is reasonable grounds to believe is a victim of trafficking.

(Northern Ireland)

2017**Children and Social Work Act**

Its key purposes involved improving decision-making and support for looked after children in England and Wales, improving work at the local level to safeguard children and promoting the safeguarding of children. It introduced Corporate Parenting Principles so that all staff and departments consider the impact of their work on children and young people for whom the local authority is the corporate parent.²⁵

(United Kingdom)

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Youth Justice

There are two key themes that emerge from the chronology of the youth justice system (YJS) detailed below and which are inter-related: (i) the development and implementation of control versus care strategies and policies for children and young people who commit crime, and (ii) the distinctions and overlaps between the way children and young people are viewed and treated within the YJS, compared with adults in the criminal justice system (CJS). Various issues, concerns, and policy initiatives have arisen from (i) and (ii) which have profoundly influenced how the YJS has evolved, both in principle and in practice, and subsequently how trends in youth justice policy debate have been defined and understood.

Regarding (i) above, key initiatives identified in the chronology reveal that care versus control strategies and policies within the YJS have often been viewed as operating either in tandem or in conflict. For example, amidst the increasing powers of juvenile courts, and the introduction of supervision orders for children ‘at risk’, the landmark 1933 Children and Young Persons Act established the principle (which still holds today) that: ‘Every court in dealing with a child or young person who is brought before it, either as an offender or otherwise, shall have regard to the welfare of the child ...’ (Paragraph 44 (1)). The assumption here is that care strategies and policies can be administered alongside control strategies, and so operate in tandem. However, at other times these strategies and policies are viewed as being more in conflict. For example, amidst concerns over the complex needs and multiple disadvantages often experienced by children and young people in the YJS, the 2016 Taylor Review in England and Wales recommended extensive reform of the YJS, with education and health placed at the centre of policy responses to youth offending. From the Review’s perspective, this policy recommendation reflects a care-based/welfare strategy, understood as a clear alternative to a control-based/punishment strategy. For example, in paragraph 6 it states: ‘There needs to be a shift in the way society, including central and local government, thinks about youth justice so that we see the child first and the offender second ... the focus must be on improving their welfare, health and education – their life prospects – rather than simply imposing punishment.’ (emphasis added).

Regarding (ii) above, key initiatives in the chronology reveal that controversial public debates and policies have consistently addressed issues concerning what is viewed as appropriate distinctions and overlaps in how children and young people are viewed and treated within the YJS, compared with adults in the CJS. For example, amidst the expansion of liberal social reforms beginning in the late 19th Century, and reflecting public anxieties concerning the abuse and exploitation of children, the landmark 1908 Children Act established separate juvenile courts for young offenders. This formal separation between the courts established a principle of differential treatment between children and adults and was further embedded in later policy initiatives. For example, the 1964 Children’s Hearing’s System in Scotland replaced court proceedings for children and young people in need of care or protection; and the 1988 Criminal Justice Act, restricted the use of custody for children with other activities providing statutory alternatives to custody. However, responding to public anxieties concerning the lax treatment of young offenders, the principle of differential treatment has also been consistently challenged through other policy initiatives outlined in the chronology. For example, since the 1963 Children and Young Persons Act, the age of criminal responsibility has been kept at 10 years old in England and Wales, despite many recommendations it be raised; and in the 1998 the Crime and Disorder Act ‘doli incapax’ was abolished – i.e. the presumption that a child aged 10-13 is unable to form necessary criminal intent.

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Finally, the ‘responsibilisation’ of children has been reflected in other policy initiatives, thereby reinforcing these overlaps between how children/young people and adults are viewed in the YJS/CJS. For example, the 1994 Criminal Justice and Public Order Act, allowed custodial sentences for persistent offenders between 12-14; and the 2003 Criminal Justice Act introduced indeterminate and extended custodial sentences for public protection concerning adult offenders, and allowed parallel sentencing for those under 18.

Steve Smith, Professor of Political Philosophy and Social Policy at the University of South Wales

1908

Children Act

Established juvenile courts. The Act gave local authorities powers to keep children out of workhouses or prisons, prevented children working in dangerous trades, and prevented them from entering pubs or purchasing cigarettes. The Act formalised different treatment for children and adults and children were sent to borstals rather than adult prisons.

(United Kingdom)

1933

Children and Young Persons Act

Required courts to take account of the welfare of a child, raised the age of criminal responsibility to 8 and abolished the death penalty for those aged under 18. Home Office approved schools were also created. Replacing both reformatories and industrial schools, the voluntary units housed both children deemed criminal and those beyond parental control.

(United Kingdom)

1948

Criminal Justice Act

This prohibited children under the age of 17 from being sent to adult prisons, but allowed other types of custody. Non-custodial Attendance Centres were introduced for children over the age of 12. Detention centres (the first of which opened in 1952) introduced for 14 to 20 year olds, with up to three month sentences intended to provide a ‘short, sharp, shock’.

(England and Wales)

1959

An inquiry, following rioting at Carlton Approved School and high levels of absconding, recommended placing some more challenging children in separate facilities, which became known as secure units.

(England and Wales)

1963

Children and Young Persons Act

Raised the age of criminal responsibility to 10, despite recommendation of Ingleby Report that it should be 12. It also required local authorities to undertake preventative work with children and families at risk of offending.

(England, Scotland and Wales)

1964

The Kilbrandon Report

Established the Children’s Hearings System in Scotland. These

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Rights		replaced court proceedings in the cases of children and young people in need of care or protection or alleged to have committed offences. (Scotland)
Early years and education	1969	Children and Young Persons Act Introduced supervision orders and care orders, and merged secure units and approved schools into local authority community homes. The part of the Act that raised the age of criminal responsibility to 14 was never implemented. (United Kingdom)
Social security and child poverty	1982	Criminal Justice Act Borstals were abolished and replaced by youth custody centres for those aged under 21. The Act also reaffirmed the notion of the short, sharp shock. (United Kingdom)
Health	1985	“Beijing Rules” (United Nations Standard Minimum Rules for the Administration of Juvenile Justice) stressed that children should only be detained as a last resort. In 1990, “Riyadh Guidelines” set care standards in juvenile justice.
Care and protection	1988	Criminal Justice Act Youth custody centres and detention centres merged to form young offender institutions. The use of custody for children was restricted with the provision of other specified activities to provide a statutory alternative to custody. (England and Wales)
Youth justice	1989	Children Act Abolished care orders and supervision orders in criminal proceedings. It also established a separate family proceedings court so that the juvenile court could deal purely with young offenders. (United Kingdom)
Culture, media and technology	1991	Criminal Justice Act Youth courts replaced juvenile courts and for the first time included 17 year olds. The age at which custody could be imposed was raised to 15. Curfew orders introduced for those aged over 16. (United Kingdom)
	1993	Criminal Justice Act This allowed courts more scope to impose tougher sentences (taking into account the offender’s history). (United Kingdom)
	1994	Criminal Justice and Public Order Act The range of offences that could be referred to the Crown Court was increased and the length of detention periods was doubled. Custodial

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sentences for persistent offenders aged 12-14 were allowed, with the first secure training centre opening in 1998. Sentences were served half in custody and half in the community.

(United Kingdom)

1995

Criminal Procedure (Scotland) Act

Provided that it is conclusively presumed that no child under eight years can be guilty of an offence. Subsequently, the Criminal Justice and Licensing (Scotland) Act 2010 inserted a new section into this Act providing that no child under 12 or an older person who committed an offence under 12 may be prosecuted, except on the instructions or at the instance of the Lord Advocate.

(Scotland)

1997

***No More Excuses* Home Office white paper published.** This emphasised the need for offenders to take personal responsibility.

(England and Wales)

1998

Crime and Disorder Act

Set the prevention of offending as the primary aim for aim youth justice and established a multi-agency approach and range of orders. Also created the Antisocial Behaviour Order (ASBO), which was disproportionately received by children. Established the Youth Justice Board.

Abolished the presumption of “doli incapax” – the rule that a child aged 10 to 13 is presumed to be unable to form the necessary criminal intent.

(United Kingdom)

1999

Youth Justice and Criminal Evidence Act

Created referral orders, where first-time offenders pleading guilty are diverted from courts to lay panels. An emphasis on restorative justice was placed in contracts agreed with offenders.

(United Kingdom)

2000

Youth Justice Board set national standards for the first time. These set out the minimum required level of service provision from different agencies. The provision of funding was linked to performance targets.

Detention and training orders replaced detention and secure training orders. Under the orders, sentences were split 50/50 between detention and community licence, with youth offending teams providing resettlement support.

(England and Wales)

2002

Presumption of early release introduced for children serving detention and training orders (except in certain circumstances).

(England and Wales)

Children in custodial institutions were entitled to the same mainstream services as other children after a ruling from Justice Munby based on human rights legislation and the Children Act 1989.

(England and Wales)

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Justice Act (Northern Ireland)

Following the Review of the Criminal Justice System in Northern Ireland, set up under the terms of the Good Friday Agreement, this Act led to the establishment of a separate agency for the administration of youth justice and put restorative justice-based youth justice conferencing on a statutory basis.

(Northern Ireland)

2003**Criminal Justice Act**

Introduced indeterminate and extended custodial sentences for public protection for adults, with a parallel sentence for those aged under 18.

(United Kingdom)

2004**Children Act**

Existing safeguarding duties were extended to criminal justice agencies. Required a greater degree of co-operation between youth offending teams and child protection services and underlined the safeguarding duties of custodial institutions.

(United Kingdom)

2005**Protection of Children and Prevention of Sexual Offences (Scotland)**

Introduced a number of offences including 'grooming' a child under 16 for sexual purposes and arranging or facilitating any sexual services from a young person under 18. The Act also introduced Risk of Sexual Harm Orders to protect children and young people from people who have engaged in some level of sexually explicit behaviour or communication with a child under 16.

(Scotland)

2008

Youth Crime Action Plan published, with £100 million funding attached and a target of reducing the number of people entering the youth justice system for the first time by a fifth by 2020.

Criminal Justice and Immigration Act

The Act replaced community orders with youth rehabilitation orders, which included individualised intervention packages. The stipulation under the Act for courts to balance the prevention of offending with welfare were not implemented.

It also introduced statutory alternatives to custody and stipulated that courts must justify not imposing such an alternative in instances where they sentence a child to custody.

(United Kingdom)

2011**Youth Justice Review Northern Ireland Assembly**

Recommended raising the minimum age of criminal responsibility from 10 to 12 and that further consideration be given to raising it further to 14. The Minister for Justice accepted the recommendation but there was not wider political support and so the age of criminal responsibility remained at 10.

(Northern Ireland)

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<p>Rights</p> <p>Early years and education</p> <p>Social security and child poverty</p> <p>Health</p> <p>Care and protection</p> <p>Youth justice</p> <p>Culture, media and technology</p>	<p>Ending Gang and Youth Violence: A Cross-Government Report</p> <p>Set up in response to the 2011 England riots, to review the growing problem of gangs and gang violence.</p> <p>(United Kingdom)</p>
	<p>2012</p> <p>Legal Aid, Sentencing and Punishment of Offenders Act</p> <p>Devolved remand custody costs to local authorities. It also allowed courts to conditionally discharge children, allowed repeated referral orders and restricted the scope of public protection sentences.</p> <p>(United Kingdom)</p>
	<p>2013</p> <p>Ministry of Justice published Transforming Youth Custody, which proposed replacing existing custody measures with secure colleges for 12-17 year olds, with the first of these opening in 2017.</p> <p>(England and Wales)</p>
	<p>2014</p> <p>Anti-Social Behaviour Crime and Policing Act</p> <p>Replaced anti-social behaviour orders (ASBOs) with injunctions. These new orders also allowed courts to impose activity requirements.</p> <p>(United Kingdom)</p> <p>Welsh Government/Youth Justice Board’s Youth justice strategy for Wales: children and young people first is published. The strategy is aimed at all agencies involved in youth justice services and seeks to improve services for young people from Wales in, or at risk of becoming involved in, the youth justice system. It encompasses early intervention to stop criminal behaviour; crime prevention; diversion of young people from crime into other activities; and recommendations in relation to education, training and employment, mental health, substance misuse, housing and social care.</p> <p>(Wales)</p>
	<p>2015</p> <p>Human Trafficking and Exploitation (Scotland) Act</p> <p>Introduced a new single offence of trafficking for all forms of exploitation for both adults and children and those who seek to exploit others; increased the maximum penalty for offenders to life imprisonment; and placed a duty on ministers to ensure there is a guardian service available for child victims and children who are at risk of becoming victims.</p> <p>(Scotland)</p>
	<p>2016</p> <p>Review of the Youth Justice System in England and Wales (by Charlie Taylor, Ministry of Justice)</p> <p>The Taylor Review made recommendations for extensive reform of the youth justice system, covering devolution, courts, sentencing and custody. “Education needs to be central to our response to youth offending,” said Taylor.²⁶ The government’s response supports many of the principles of The Taylor Review and sets out the intention to</p>

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review the governance of the system and improve the way youth offending is tackled, putting education and health at the heart of youth custody.

(England and Wales)

2017

Findings and Recommendations of the Youth Custody Improvement Board published

YCIB established that the youth estate was on the edge of coping with the young people it was charged with holding. Each of the centres the Board visited showed significant fragility and reported the same challenges of poor behaviour management of young people, lack of skilled staff and a sense of not being able to meet the needs of many of their young people. Key leaders in the service at national and local level were concerned that the service was drifting, and no one was sure what the next steps were. This was in part due to a lack of clarity regarding the overall governance of the system.²⁷

(England and Wales)

Creation of Youth Custody Service announced, to act as a distinct arm of HM Prison and Probation Service and to work closely with the Chair of the Youth Justice Board.²⁸

(England and Wales)

2019

Age of Criminal Responsibility (Scotland) Act

Established that a child under 12 cannot commit an offence.

(Scotland)

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https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/594448/findings-and-recommendations-of-the-ycib.pdf

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<https://www.gov.uk/government/speeches/youth-justice-update>

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Childhood typically serves as a focus for broader hopes and fears, and this is certainly the case in relation to culture, media and technology. Public debates – and hence the policy initiatives that seek to respond to them – are often informed by claims that children have a special status in this regard. On the one hand, they are widely seen as particularly vulnerable to harmful influences of different kinds; while on the other, they are deemed to possess some kind of innate wisdom, especially in their dealings with technology. However, the evidence in support of such claims is often limited, and the underlying assumptions need to be carefully interrogated.

Viewed from a children’s rights perspective, there are often fundamental tensions here. Children have a right to protection – an imperative that is obviously a primary motivation for the regulation of particular kinds of media content. Yet they also have a right to the provision of material that meets their needs and reflects their experiences – a right that many would argue is only partially met in an increasingly commercialised media and cultural environment. And they also have a right to participation – to be able to use the media and other cultural forms to create their own content, and to have their voices heard.

As in other areas, reconciling these different rights is not always easy for policy-makers; and in a digital environment, this becomes even more challenging. Just as for adults, the need for privacy and protection from abuse (including commercial abuse) needs to be balanced against the need for self-expression and freedom of information. Education about the media – designed to promote critical understanding as well as creative participation – may not be the whole answer to these dilemmas, but it is seen by many as a vital step towards empowering children.

Professor David Buckingham FBA, Emeritus Professor at Loughborough University

1984	British Board of Film Censors changed to British Board of Film Classification (BBFC) . BBFC assumed responsibility for age-based video classification, and subsequently video games. (United Kingdom)
1990	Computer Misuse Act The Act applies UK wide. The following offences could apply in relation to social media use: unauthorised access to computer material or data, unauthorised access with intent to commit or facilitate commission of further offences, making, supplying, or obtaining an article e.g. hacking tools. ²⁹ (United Kingdom)
2002	CBeebies, a British free-to-air television channel owned and operated by the BBC and aimed at young children, is launched. (United Kingdom)

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UK Council for Child Internet Safety, Child Safety Online, 2015.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/487973/ukccis_guide-final_3_.pdf

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Culture, media
and technology**2003****The Communications Act**

Gave Ofcom greater powers to protect children and young people. Changed regulations around public service broadcasting and made it an offence throughout the UK to make improper use of public communications networks, including sending electronic messages which are grossly offensive, indecent, obscene or of menacing character. (United Kingdom)

2007

Ofcom began to **phase in regulations on HFSS** (high fat, salt and sugar) advertising during children's TV. (United Kingdom)

2008

UK Council for Child Internet Safety established. It is now the UK Council for Internet Safety (UKCIS) so has lost the child-specific element of its remit. (United Kingdom)

The **Byron Review, *Safer Children in a Digital World***, called for a national strategy for child internet safety. (United Kingdom)

England's first national Play Strategy set out the government's vision for better play opportunities. It covered places for children's play, like parks, green spaces, schools and children's centres, and considered how communities and neighbourhoods can become more child-friendly. (England)

2009

Buckingham Review, *The Impact of the Commercial World on Children's Well-being*, called for parents and children to have greater help in gaining media literacy and skills. (United Kingdom)

2010

Papadopoulos Report, *The Sexualisation of Young People*, stated that 'sexualising children prematurely places them at risk of a variety of harms' and made several recommendations, including for the issuance of statutory guidance. (United Kingdom)

2011

Bailey Review, *Letting Children be Children*, recommended that 'sexualised images used in public places and on television, the internet, music videos, magazines, newspapers and other places are more in line with what parents find acceptable'.³⁰ (United Kingdom)

2013

The first national Play Strategy for Scotland is published, outlining the benefits of play in children's development and linking the Strategy with national policy frameworks such as GIRFEC. In 2013, the Scottish

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Rights		Government published the Play Strategy Action Plan, which set out actions to implement the strategy across a range of settings. (Scotland)
Early years and education	2017	Digital Economy Act Made it a requirement for providers of internet pornography to prevent access to their material by anybody under the age of 18. (United Kingdom)
Social security and child poverty		
Health		
Care and protection		
Youth justice	2018	General Data Protection Regulation implemented. In the UK the age of consent is set at 13, meaning the age at which children can give their consent for the processing of their own personal data. (United Kingdom)
Culture, media and technology		

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