

Briefing Paper 4

Children's Rights

National Assembly Elections 2007

"I won't smack my children. I don't think it's really that fair....and I wouldn't like it. Treat others how you want to be treated."

8 year old girl
Listen up: Children talk about smacking
Save the Children



Save the Children

Achub y Plant



NSPCC 

**Dim mwy o greulondeb i blant. DIM.
Cruelty to children must stop. FULL STOP.**


**Barnardo's
Cymru**

**RHOI'R DYFODOLYN ÔL I'N PLANT
GIVING CHILDREN BACK THEIR FUTURE**

Children's Rights

The National Assembly for Wales has, since its inception, been committed to developing policies that recognise the rights of children as enshrined in the United Nations Convention on the Rights of the Child (UNCRC). This Convention, the most widely ratified human rights treaty in the world, provides a set of minimum standards encompassing civil and political as well as economic and social and cultural rights. Successive Welsh Assembly Governments have stated that the Convention underpins all its policies and programmes for children and this approach has received wide, cross-party support within the Senedd.

What has been achieved since 2003?

Recognising that children's rights depend on the adult world for the delivery of their entitlements the current Welsh Assembly Government has established seven core aims for children based on the UNCRC which include the aims that all children in Wales have a flying start to life, that they are protected from abuse and live in a safe home within a safe community.

The rights-based approach favoured by the National Assembly is in marked contrast to approach to children's policy espoused by Westminster and within its powers the Assembly has done much to raise children's rights up the political agenda. Wales was the first country in the UK to appoint an independent Children's Commissioner to act as a champion for children's rights. Wales has its own children and young people's assembly funded by government and the current Assembly Government has established a number of projects to promote and support children and young people's participation within public bodies. The Participation Consortium and the Participation Unit have prepared a national definition of participation and national standards for children and young people's participation in Wales were launched by the Assembly Government in 2007.

The Assembly Government has a Minister for Children who chairs a cross cutting sub-committee of its Cabinet to co-ordinate policy development as it affects children in Wales. This sub-committee has responsibility to progress implementation of the UN Convention in Wales and will be leading work on preparing the next progress report. This will be incorporated into the UK State party periodic report due with the UN Committee in July 2007. The Assembly Government has taken a principled stance on the physical punishment of children and whilst it does not have the power to change the law that allows adults to hit children using a defence of 'reasonable chastisement', the government is working to promote the message to parents and carers that hitting children is wrong and infringes their basic human rights.

The emergence of these structures and policy positions does genuinely indicate a willingness on the part of government in Wales to give children a higher political priority and an increasing sensitivity to the impact of governance on children's human rights.

What are our current concerns?

In January 2006, a coalition of Non-Governmental Organisations including Amnesty International Wales, Barnardo's Cymru, Children in Wales, Funky Dragon, Nacro Cymru, NSPCC Cymru, Save the Children and academics from Swansea and Aberystwyth Universities compiled a report on the extent to which law, policy and practice in Wales has progressed in achieving compliance with the UNCRC. This report recognised the progress made in Wales but highlights further work required to implement the Convention and to ensure that those children who are particularly vulnerable and those affected by poverty and discrimination, benefit from government policies and resourcing.

The progress made by the Welsh Assembly Government is to be applauded, however most children and young people, adult carers or those working with children and young people in Wales still know little about children's rights. Indeed, the extent to which these aims inform the Assembly Government's policy development in areas other than regulated children's services – for example, in polices around transport, housing, economic and community development has to date been disappointing.

It is our hope that the next government of Wales will embrace this agenda recognising that children's rights is not just about **participation** – although listening to children is important if government is to be sure it is serving them well – but also about **protection** and adequate **provision**.

Recommendations

We call on the Welsh Assembly Government to:

- Develop a coherent and consistent Assembly wide response to monitoring the implementation of the Convention and report annually on the state of children's rights and the extent to which it is achieving its aims for children.
- Give greater prominence to the U.N. Convention in the government's overarching strategic plan and assist local and national officials to fully understand the principles of the Convention.
- Develop and resource a strategy for disseminating information on the United Nations Convention on the Rights of the Child across Wales.
- Proof all of its policies for compliance with the UNCRC to ensure children's issues have improved visibility, coherence and significance across government structures; making government more effective for children and young people.
- Introduce legislation that secures national and local participation structures including the children and young people's assembly for Wales.
- Develop and build capacity, including training for professionals, for participation of children under the age of 10
- Ensure that children's rights are included in all training courses for professionals working with children and young people and in Continuing Professional Development training programmes.
- Monitor the impact of its policies on vulnerable children and children who experience particular discrimination, for example disabled children, looked after children, children living in low income households and children from Black and Minority Ethnic Communities and seek to understand how the barriers these children face can be tackled.
- Provide an analysis of its spending on children in subsequent budgets and require Children and Young People Framework Partnerships to provide a budget analysis setting out its spending on children and young people.
- Incorporate compliance with the UN Convention of the Rights of the Child into legislation and provide Guidance for the Children and Young People's Framework Partnerships that is explicit as to what 'having regard' to the UN Convention means in practice. The new Lead Directors and Lead Members appointed under the Children Act 2004 should have training and support to ensure they are able to fulfil their role as caretakers of the rights of children and young people, ensuring that action is taken to implement commitments to the UN Convention on the Rights of the Child.
- Promote positive images of children and young people and children's rights and actively challenge media stereotypes that depict children as villains and anti-social.

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