



Children in Wales
Plant yng Nghymru

Keith Towler Children's Commissioner for Wales

Supported by:



Llywodraeth Cynulliad Cymru
Welsh Assembly Government



Getting it right for families and children

**Parents Week Conference
23rd October 2008**

**Keith Towler
Children's Commissioner for
Wales**

Background



- All my work is underpinned by the United Nations Convention on the Rights of the Child
- Children's rights are not separate from, but part of, the wider human rights framework

United Nations Convention on the Rights of the Child



- **The Committee on the Rights of the Child is:**
- Convinced that the family, as the fundamental group of society and the natural environment for the growth and well-being of all its members and particularly children, should be afforded the necessary protection and assistance so that it can fully assume its responsibilities within the community.
- Recognizes that the child, for the full and harmonious development of his or her personality, should grow up in a family environment, in an atmosphere of happiness, love and understanding,

United Nations Convention on the Rights of the Child (2)



- **Article 3- Best Interests of the child**
- 1. In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.
- 2. States Parties undertake to ensure the child such protection and care as is necessary for his or her well-being, taking into account the rights and duties of his or her parents, legal guardians, or other individuals legally responsible for him or her, and, to this end, shall take all appropriate legislative and administrative measures
- 3. States Parties shall ensure that the institutions, services and facilities responsible for the care or protection of children shall conform with the standards established by competent authorities, particularly in the areas of safety, health, in the number and suitability of their staff, as well as competent supervision.

United Nations Convention on the Rights of the Child (3)



- **Article 24- Right to healthcare**
- States Parties shall pursue full implementation of this right and, in particular, shall take appropriate measures *to develop preventive health care, guidance for parents and family planning education and services*

United Nations Convention on the Rights of the Child (4)



- **Article 7**
- 1. The child shall be registered immediately after birth and shall have the right from birth to a name, the right to acquire a nationality and, as far as possible, the right to know and be cared for by his or her parents.

United Nations Convention on the Rights of the Child (5)



- **Article 18**
- 1. Parents or, as the case may be, legal guardians, have the primary responsibility for the upbringing and development of the child. The best interests of the child will be their basic concern.
- 2. For the purpose of guaranteeing and promoting the rights set forth in the present Convention, States Parties shall render appropriate assistance to parents and legal guardians in the performance of their child-rearing responsibilities and shall ensure the development of institutions, facilities and services for the care of children.
- 3. States Parties shall take all appropriate measures to ensure that children of working parents have the right to benefit from child-care services and facilities for which they are eligible.

Welsh Assembly Government's 7 Core aims for children



1. A Flying Start in Life
2. A Comprehensive Range of Education, Training and Learning Opportunities
3. The Best Possible Health Free from Abuse, Victimization and Exploitation
4. Play, Leisure, Sporting and Cultural Activities
5. Treated with Respect and have their Race and Cultural Identity Recognised
6. A Safe Home and Community
7. Children and Young People not Disadvantaged by Poverty

Childcare Act 2006 and Information Duty



Section 27 of the act says:

- (1) A Welsh local authority must establish and maintain a service providing information, advice and assistance in accordance with this section.
- (2) The service must provide to parents or prospective parents information which is of a prescribed description and relates to any of the following—
 - (a) the provision of childcare in the area of the local authority;
 - (b) any other services or facilities, or any publications, which may be of benefit to parents or prospective parents in their area;
 - (c) any other services or facilities, or any publications, which may be of benefit to children or young persons in their area.

What follows from these commitments in the UNCRC and 7 Core Aims



- A flying start in life- what does that mean/ look like?
- Support for parents and family life
- Information for parents underpins each of the core aims
- Equality of access to information and services – even in rural areas
- Accurate, accessible information to ensure informed decisions by parent
- Childcare for children

Welsh Assembly Government Parenting Action Plan



- Published in late 2005.
- They said they had done this because:
- *Being a parent is a big job. All mums and dads need support and encouragement. They also need advice and support about lots of things as their children grow up and*
- *The Welsh Assembly Government wants to make sure that parents get the advice and support they need. We want to make sure that parents know where to go for help when they need it. We also want to encourage organisations like local councils and the health service to think about the needs of parents, children and young people when they make decisions about schools, transport, leisure centres and other local services.*

Parenting Action Plan (2)



- There is an ongoing inquiry into the progress made on the action plan. This is being led by the National Assembly for Wales' Children and Young People Committee.
- I have provided evidence that stated that implementation of the plan has been slow and the bilingual telephone helpline for parents, Parentline, has yet to be establishment .
- Concerns have been raised with me about the sustainability of services such as Homestart across Wales

UK Children's Commissioners' joint report to the UN Committee on the Rights of the Child 2008- key issues



- **Role and Mandate of the Commissioners**
- **Incorporation of the UNCRC**
- **Allocation of Resources**
- **Participation in Decision-Making**
- **Discrimination**
- **Physical Punishment**
- **Children Looked After Away From Home**
- **Children with Disabilities**
- **Poverty**
- **Inequalities in Health**
- **Mental Health**
- **Play**
- **Education**
- **Asylum Seeking Children**
- **Juvenile Justice**



Key children's rights issues in Wales

- Child Poverty
- Participation
- Knowledge of the UNCRC across society
- Play
- Bullying
- Emotional Well-being including mental health
- Equal Protection from assault
- Youth Justice

Why are these key issues?



- **Children and young people tell me and my team about these issues regularly through our framework for the involvement of children and young people, which includes:**
 - 2 advisory groups (based in North and South Wales) and drawn from local authority youth fora
 - Wider participation work which includes, large scale consultative events, presence at Eisteddfodau, visits to schools and other locations, e.g. youth groups, voluntary organisations,
 - School Ambassadors' scheme for 7-11 year olds who feedback to my staff
 - E-mail discussions and text messaging
 - Contact with the Advice and Support service
 - Website
 - My Time to Talk, Time to Listen tour (ongoing).

Why are these key issues? (2)



- **Poverty** is a children's rights issue- it affects children's ability to exercise their rights
- **Emotional well being** and mental health issues are important to children in how they respond to the world around them
- **Play** is vital to all children and there are fewer places for children to play – Can they use their right to play?

Why are these key issues? (3)



- **Participation** and respect for children's views- not being addressed systematically at present- despite children's complaints procedures being established by government – schools do not tell children about the procedures
- Children need to know about the Convention and how it impacts on their lives
- Adults need to know how the Convention will impact on their work and how they can make the Convention a reality for the children they work with.
- **Bullying** is something that children still talk regularly to my team about despite clear Welsh Assembly Government guidance to schools on how to tackle this.

Why are these key issues? (4)



- **Equal protection from assault**- despite signing the Convention which includes this as a right- the UK Government still has not changed the law in this regard and will not allow the Welsh Assembly Government the power to make this vital change
- **Youth Justice** – clear need to reduce the number of Welsh children held in secure accommodation –some in England

UN Committee's Concluding Observations



These are **recommendations** for change from the UN Committee and were published in early October

- In Wales, we must translate these into clear change and ensure these are followed through **for all children.**
- Human rights including children's rights must remain central to policy development at both national and local level so that service providers facilitate children's rights through service delivery.
- **We need to close the gap between the policies and practice on a daily basis.**

UN Committee's Concluding Observations



The Committee notes that many families lack appropriate assistance in the performance of their child-rearing responsibilities, and notably those families in a crisis situation due to poverty.”

The Committee recommends that the UK should “*intensify its efforts to render appropriate assistance to parents and legal guardians in the performance of their child-rearing responsibilities*” (para 45a).

My Concluding Remarks



- My Annual report highlights key issues across children's lives
- Parents and carers are the principal advocates for children's rights and welfare and easily accessible support for them must be available when and where needed and is very important to realising children's rights.
- Parents play an extremely important role in children's development. Support for parents is very important and is in line with the UN Convention.

My Concluding Remarks (2)



- I will be looking at the outcomes of the Children and Young People Committee's inquiry into the Government's Parenting Action Plan.
- I will also be monitoring Welsh Assembly Government's and local government's response to the UN Committee Concluding Observations
- **By getting it right for families,**
every child will be able to
exercise all of their rights.



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