



# Manifesto for the Senedd Elections

May 2026



The UN Convention on the Rights of the Child<sup>1</sup> (UNCRC) is a legally binding international agreement which sets out the fundamental human rights that all babies, children and young people under the age of 18 should have to enjoy a good childhood and develop to their full potential. This includes their right to an adequate standard of living, access to education, play and healthcare, alongside the right to be heard and to be cared for and protected regardless of their background or circumstances.

Whilst there has been a strong tradition in Wales of advancing, promoting and upholding children's rights, more action is needed to make sure that all babies, children and young people have all their rights fulfilled, and are safe and fully supported, and able to express their views on all matters affecting them.

## The story so far....

In 2011, Wales led the way and became the first UK jurisdiction to take steps to incorporate the UNCRC into domestic law through the Rights of Children and Young Person's (Wales) Measure 2011<sup>2</sup>, which places a legal duty on all Welsh Ministers to have 'due regard' to the UNCRC when exercising any of their functions.<sup>3</sup> 'Due regard' essentially means that proper consideration must be given to all the articles of the UNCRC and specified optional protocols.

### **Rights of Children and Young Persons (Wales) Measure 2011**

**Section 1:** Imposes a legal duty of due regard to Part 1 of the UNCRC & specified optional protocols on Welsh Government Ministers in the exercise of any of their functions.

**Section 2:** Welsh Ministers must make a scheme ("the children's scheme") setting out the arrangements they have made, or propose to make, for the purpose of securing compliance with the duty under section 1.

**Section 3:** In preparing or revising the scheme, they must have regard to any reports or recommendations of the UN Committee on the Rights of the Child.

**Section 4:** Welsh Ministers must produce a Compliance Report every 5 yrs.

**Section 5:** Promote knowledge and understanding of the UNCRC.

As an example of '*indirect*' incorporation, existing law has limitations in that it does not bind government or public authorities to act in accordance with the UNCRC, nor provide a legal remedy for a child (or their representative) who wishes to bring action to claim their rights and challenge a rights violation.

By contrast, **direct** incorporation would require governments and public authorities to comply with the UNCRC and enable children to enforce their rights in national courts if they are breached<sup>4</sup>. In Scotland, legislation was passed in 2024 which directly incorporates the UNCRC into law. This demonstrates the potential of a reserved model of devolution to enable incorporation in a manner which provides for directly enforceable rights at a devolved level

**The next Welsh Government should take the following steps to strengthen children's rights in Wales**

## Direct incorporation of the UNCRC in Wales

### Enhancing legal enforceability of children's rights

Whilst existing legislation has demonstrated the potential to support embedding children's rights by requiring Welsh Ministers to have due regard to the UNCRC<sup>5</sup>, research has highlighted limitations and the need to go further than our current '*indirect*' approach to incorporation<sup>6</sup>.

There is a compelling need for full and direct incorporation of the UNCRC to provide individual legal enforceability of children's rights. Children in Wales should be offered a direct route to a legal remedy in a court of law for breaches of their UNCRC rights.

To ensure appropriate compliance and accountability, Wales should directly incorporate the UNCRC into Welsh law by introducing similar legislation as has been commenced in Scotland through the UNCRC (Incorporation) (Scotland) Act 2024<sup>7</sup>.

### The next Welsh Government must

- Introduce legislation which fully and directly incorporates the United Nations Convention on the Rights of the Child into Welsh law.

## Key components of legislation

To secure realisation of full and direct incorporation of the UNCRC in Welsh law, the following statutory components must be included.

### i) Children's Rights Scheme

A Children's Rights Scheme must be published by the Welsh Government to outline how they will secure compliance with their duties under the new law. This plan should provide the necessary arrangements of how Ministers will further children's rights in Wales; the steps being taken to promote and raise awareness of the UNCRC; the preparation of Children's Rights Impact Assessments (CRIA) and effective ways children can access legal remedies. The Scheme should be subject to periodic review.

### ii) Compliance Reports

The Welsh Government must report on actions taken to secure compliance with Welsh law and outline future plans to further compliance. This report must be published every 2.5 years and should be laid before the Senedd for scrutiny and debate<sup>8</sup>.

### iii) Children's Rights Impact Assessment (CRIA)

Children's Rights Impact Assessments (CRIA) should be made mandatory and applied to all proposals for legislation and policy which directly or indirectly impact on children<sup>9</sup>. Whilst acknowledging that good progress has been made by the current administration to conduct and publish CRIs<sup>10</sup>, it remains that CRIs can be variable in quality, developed too late in the policy process or not applied to some important decisions affecting children<sup>11</sup>. Notably, this includes the Welsh Government budget, where there is a lack of transparency on expenditure on children in public budgeting across all ministerial portfolios, making it difficult to assess changes in funding allocations to specific policy areas<sup>12</sup>.

### iv) Knowledge and understanding of the UNCRC

There has been some, but limited, progress to promote knowledge and understanding of the UNCRC<sup>13</sup>, work which has not been evaluated to learn whether there has been an effective reach to all children, and professionals working with children or integrated into professional development and training in Wales. There is a need for a comprehensive strategy with sufficient resource to promote knowledge and understanding of the UNCRC with children, the public and professionals, with robust monitoring, evaluation and reporting mechanisms established.

### v) Welsh Public Bodies

Local authorities and other Welsh public bodies have significant powers in respect of implementing the UNCRC. A duty of 'due regard' to the UNCRC has been introduced into some sectoral legislation through the Social Services and Well-being (Wales) Act 2014 and the Additional Learning Needs Education and Tribunal (Wales) Act 2018, placing requirements on decision-makers working primarily in the fields of social care and education<sup>14</sup>. Whilst this was welcomed, it has to-date been ad-hoc with ineffective reporting, monitoring and compliance arrangements. There is a lack of coherence and consistency to ensure that **all** Welsh public bodies are working in compliance with the UNCRC.

The Scottish legislation goes further than existing laws in Wales, requiring **all** public authorities to act compatibly with the UNCRC when exercising devolved functions and a requirement to publish reports on the progress to implement children's rights. As part of the new Welsh legislation, all public authorities should be expected to develop 'Children's Schemes' that set out their arrangements to act compatibly with the UNCRC and include arrangements to conduct and publish mandatory children's rights impact assessments, comprehensive children's rights strategies, and arrangements for coordination, oversight and implementation of the UNCRC including effective independent and child friendly complaints systems.

#### The next Welsh Government must

- Publish a revised Children's Rights Scheme setting out how they will comply with the legislation, including reporting arrangements.
- Publish periodic Compliance Reports which set out the steps they have taken to comply with the law, which is tabled for scrutiny in the Senedd.
- Publish a fully resourced strategy which sets out the arrangements for promoting knowledge and awareness of the UNCRC, including periodic reporting arrangements
- Introduce a statutory requirement for CRIs to be systematically conducted and published on all policy, legislative and budgetary proposals, and other strategic decisions which are likely to directly or indirectly affect children
- Ensure that children's rights training, including the process for developing CRIs, is made mandatory for officials and Ministers and, with progress reported periodically.
- Introduce a duty on Welsh public bodies to act compatibly with the UNCRC, with robust monitoring, accountability and periodic reporting arrangements in place to ensure compliance
- Publish statutory guidance to support and enable Welsh public bodies to fulfil their duties<sup>15</sup>

## Enablers to support implementation of the legislation and fully realise children's rights in Wales

### Comprehensive national strategy on children's rights

Despite repeated recommendations from the UN Committee on the Rights of the Child, Wales still does not have a comprehensive strategy or action plan for implementing the UNCRC. Without a cross-departmental children's rights plan with measurable actions and indicators, the Welsh Government is unable to coherently communicate their vision and ambitions for children, or the steps being taken to progress children's rights in Wales, including implementing the UN's recommendations<sup>16</sup>. It is vital that the strategy is underpinned by robust data collection mechanisms that address the current lack of Wales specific and disaggregated data, to enable a better understanding of the impact of decisions, policies and legislation on particular groups of children, including those with protected characteristics.

#### The next Welsh Government must

- Publish a comprehensive and fully resourced national Children's Rights Strategy with achievable and measurable rights-based targets subject to robust monitoring, evaluation and reporting arrangements, informed by strengthened data collection mechanisms with disaggregated data.

### Coordination and oversight

The UN Committee has recommended strengthening existing coordination arrangements. This will help to ensure that the UNCRC obligations under Welsh law and which underpin a Children's Rights Strategy are effectively discharged across all ministerial portfolios. A Cabinet Secretary for Babies, Children and Young People should be appointed, supported by a central team of officials with sufficient human, technical and financial resources to implement duties.

#### The next Welsh Government must

- Appoint a Cabinet Minister for Babies, Children and Young People, supported by a well-resourced central team who will provide strong leadership, direction, and ensure better coordination and scrutiny of children's issues.
- Establish a Cabinet Committee for Children to ensure that all cabinet members take collective responsibility for ensuring that children's rights are prioritised across every government department.

### Children's complaints mechanisms

There is a need for a robust complaints mechanism which ensures that all children can readily access age-appropriate information and professional advice and support about how to make a complaint and seek representation. The Welsh Government has published a children's complaints leaflet<sup>17</sup> explaining how to give feedback and how to complain if 'due regard' to the UNCRC is not being given, and which includes information about support and advice available<sup>18</sup>. However, to ensure that children have access to a redress system under the law, a child-friendly independent complaints mechanism must be established, with the involvement of children in its development.

#### The next Welsh Government must

- Develop (co-designed with children) a Child Complaints System which is independent, confidential, child friendly and accessible so that all children are empowered to use across Wales.

## Children's Commissioner for Wales

The Office of the Children's Commissioner for Wales (CCfW) provides a statutory independent function, to promote and protect the rights of children in Wales<sup>19</sup>. The UN Committee is clear that establishing independent national human rights institutions for children, which operate independently of government, is a core part of states parties' UNCRC commitments<sup>20</sup>. Previous reviews of the appointment, funding and accountability of the Commissioner have recommended that they be transferred from the Welsh Government to the Senedd to enhance the Commissioners independence.

The Commissioner has also repeatedly asked for more powers to be able to respond to matters which relate to children in Wales which fall outside devolved competences. This is of significant concern, given the lack and scrutiny and oversight of children's rights breaches in relation to criminal justice, poverty and asylum and immigration matters.

### The next Welsh Government must

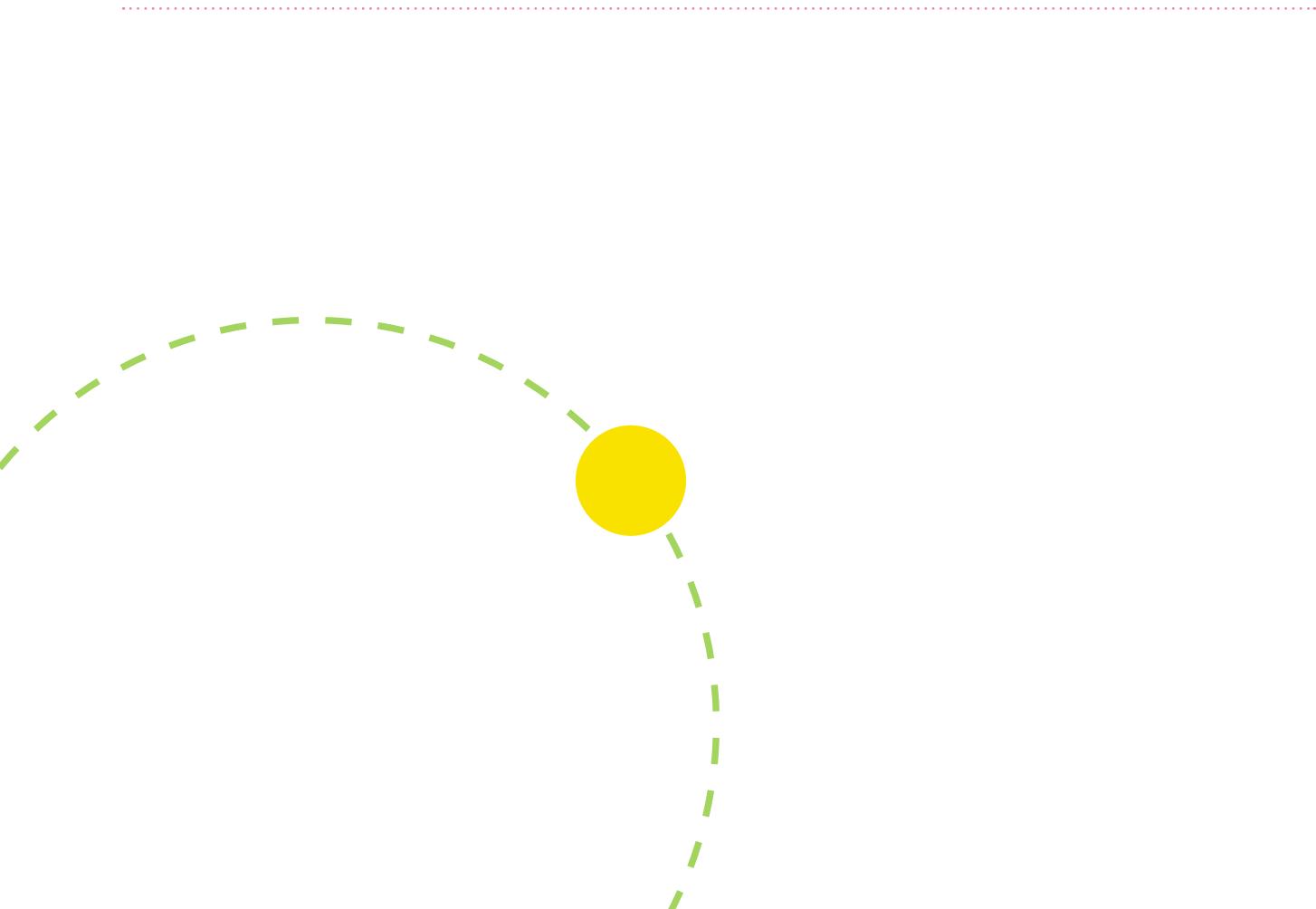
- Increase the legal powers and remit of the CCfW, and transfer responsibility for the appointment and funding to the Senedd.

## Children's Rights Advisory Group

An external advisory board has been established by the Welsh Government to provide external advice on the development of CRIAs and to inform the delivery of children's rights in Wales more generally. This forum should be retained and strengthened by the next Welsh Government to ensure that expert external advice is secured.

### The next Welsh Government must

- Maintain and strengthen the Children's Rights Advisory Group



## References

1. [Convention on the Rights of the Child | OHCHR](#). See also EHRC animation here -
2. [Rights of Children and Young Persons \(Wales\) Measure 2011](#)
3. Since May 2012, Welsh Ministers are required to have due regard to the requirements of the UNCRC and its Optional Protocols when making decisions about a provision to be included in an enactment, or the formulation of a new policy and/or legislation, or a review of or change to an existing policy and/or legislation. This requirement was extended to cover all ministerial functions from May 2014
4. Hoffman, S. (2019) [Briefing – Incorporation of International Human Rights](#), pp 2-3
5. Hoffman, S & O'Neill S (2018) [The impact of legal integration into the rights of the child in Wales](#).
6. Hoffman, S.; Nason, S.; Beacock, R.; Hicks, E. (with contribution by Croke, R.) (2021). [Strengthening and advancing equality and human rights in Wales](#). Cardiff: Welsh Government, GSR report number 54/2021
7. [United Nations Convention on the Rights of the Child \(Incorporation\) \(Scotland\) Act 2024](#)
8. Section 4 of the Rights of Children and Young Person's (Wales) Measure 2011 requires the Welsh Government to publish a compliance report. Most recent report is here [Welsh Government Compliance Report](#) (October 2020-2023)
9. Welsh Government (2021) [Children's Rights Scheme 2021](#).
10. The Welsh Government has established a Children's Rights Advisory Group (CRAG) with standing members: Children's Commissioner for Wales, Children in Wales, UNICEF UK, and Wales Observatory on Human Rights of Children. CRAG advises the W/Government on matters relating the children's rights at a strategic level and is available to assist all departments with CRIA. A [Manual](#) and revised [CRIA template](#) have also been developed to support officials in their role.
11. Edinburgh Law School (2024) [Children's Rights Impact Assessments in Wales: An Analysis of Best practice](#)
12. Children's Legal Centre Wales & Public Law Project (2024) [Welsh Government must give due regard to part 1 of the UNCRC as per Section 1 of the Rights of Children and Young Persons \(Wales\) Measure 2011, in the exercise of any of their functions this includes the development of the draft Welsh Government Budget](#).
13. Welsh Government (2025) [Raising Awareness of the UNCRC Infographic](#).
14. Section 7(2) of the [Social Services and Well-being \(Wales\) Act 2014](#) imposes a duty to have due regard to the UNCRC on any person exercising functions under the Act in relation to: a child who has, or may have, needs for care and support; a child who is a carer who has, or may have, needs for support; or looked after children (as defined in the Act). Section 7(1) of the [Additional Learning Needs and Education Tribunal \(Wales\) Act 2018](#) imposes a duty to have due regard to the UNCRC on a relevant body exercising functions under Part 1 of the Act (relating to Additional Learning needs of a child or young person).
15. Children's Commissioner for Wales (2016) [The Right Way: A Children's Rights Approach](#).
16. The Welsh Government published a [response](#) in 2024 to the [UN Committee's recommendations](#); For further information, a [Children Legal Centre Wales Blog](#) explaining and summarising the Concluding Observations 2023. For more information about the monitoring & reporting process to the United Nations, see [Convention on the Rights of the Child \(CRC\) | Human Rights Tracker | Human rights tracker](#) and EHRC animation here <https://youtu.be/5KQGz-toMnk>
17. Welsh Government (2020) [Children's Complaints Leaflet](#).
18. for example, Meic Cymru and the Children's Commissioner for Wales Office
19. [Children's Commissioner for Wales Act 2001](#).
20. UN Committee on the Rights of the Child (2002) [General Comment No. 2, The role of independent national human rights institutions in the promotion and protection of the rights of the child](#), paras 1, 4 and 25. See also: See: General Assembly resolution 48/134 (1993) [Principles relating to the Status of National Institutions](#) (The Paris Principles). The UN Committee have called for full compliance of national human rights institutions and Children's Commissioners with the Paris Principles, and ensure they have the mandate and resources they need

## About

The **Wales UNCRC Monitoring Group** is a national alliance of non-governmental and academic agencies, tasked with monitoring and promoting the United Nations Convention on the Rights of the Child (UNCRC) in Wales. The Wales UNCRC Monitoring Group was established in 2002 and since May 2016 has been managed by Children in Wales. The Group has worked with the UN Committee on the Rights of the Child and submitted civil society reports to inform successive UK State Party Examinations in 2002, 2008, 2016 and 2024 and is engaged in other opportunities to forward children's rights, through other UN treaty mechanisms, Welsh Government and Senedd policy and legislative processes.

Members of the Wales UNCRC Monitoring Group are representatives of, and nominated by, non-governmental organisations and academics which are as follows

Amnesty International, Barnardo's Cymru, Children in Wales, Children's Commissioner for Wales (observers), Children's Legal Centre Wales, Equality and Human Rights Commission Wales (observers), NSPCC Wales/Cymru, Play Wales, Save the Children Wales, The Observatory on Human Rights of Children, UNICEF UK and the Welsh Local Government Association (observers)



# UN Convention on the Rights of the Child

<b>1</b> I am under 18, so these rights are for me	<b>2</b> I have these rights no matter what	<b>3</b> Any decisions must consider what is best for me	<b>4</b> My Government must make sure I can access all my rights		
<b>5</b> My parents/carers must have support so I can access all my rights	<b>6</b> I have the right to life		<b>7</b> I have the right to a name and nationality	<b>8</b> I have the right to an identity	<b>9</b> I have the right to live with my family, if that is best for me
<b>10</b> I have the right to see my family if they don't live with me	<b>11</b> I have the right to not be taken out of my country illegally	<b>12</b> I have the right to have my views heard and taken seriously	<b>13</b> I have the right to express myself	<b>14</b> I have the right to have my own thoughts, beliefs and religion	<b>15</b> I have the right to meet with friends and join groups
<b>16</b> I have the right to privacy	<b>17</b> I have the right to access reliable information	<b>18</b> I have the right to be brought up by both parents if possible	<b>19</b> I have the right to be kept safe from violence, abuse, or neglect		
<b>20</b> I have the right to be cared for and protected if I can't live with my own family	<b>21</b> I have the right to the best care if I am adopted	<b>22</b> I have the right to be cared for and protected if I am a refugee	<b>23</b> I have the right to special protection and support if I have a disability	<b>24</b> I have the right to good healthcare	
<b>25</b> If I am away from my family, my treatment and care must be reviewed regularly	<b>26</b> My family must have financial help if they need it	<b>27</b> I have the right to food, clothing, and a clean, safe home	<b>28</b> I have the right to an education	<b>29</b> I have the right to reach my full potential	
<b>30</b> I have the right to learn about my culture, customs, language and religion	<b>31</b> I have the right to relax, play, and take part in cultural activities	<b>32</b> I have the right to be protected from doing dangerous work	<b>33</b> I have the right to be protected from illegal drugs		
<b>34</b> I have the right to be protected from sexual abuse	<b>35</b> I have the right to be protected from abduction, sale, and trafficking	<b>36</b> I have the right to be kept safe from harm	<b>37</b> I must be treated with respect and care if I am accused of breaking the law	<b>38</b> I must not join the army until I am at least 15 years old	
<b>39</b> I have the right to extra help if I have been hurt, neglected, or badly treated	<b>40</b> If I am accused of breaking the law, I have the right to legal help and to be treated fairly	<b>41</b> When my country has extra laws to protect children, these must be followed	<b>42</b> I have the right to know about all my rights		