

Cynulliad Cenedlaethol Cymru
Y Pwyllgor Plant, Pobl Ifanc ac
Addysg
Ymchwiliad i Hawliau plant yng Nghymru
CRW 16
Ymateb gan: Swyddfa Comisiynydo Yr
Heddlu a Throseddu Gwent

National Assembly for Wales
Children, Young People and Education
Committee
Inquiry into Children's rights in Wales
CRW 16
Response from: Office of Police and Crime
Commissioner Gwent

- The extent to which the Rights of Children and Young Persons (Wales) Measure 2011 has influenced the Welsh Government's decision making, including its financial allocations and whether it has fulfilled the Convention's 'general measures' of implementation;

Gwent OPCC welcomes the Rights of the Children and Young Persons (Wales) Measure and believes that it has had an impact. However, there is room for further application of the measure to be pursued. In particular, we believe that there is need for more transparent reporting against the outcomes of the Measure and subsequent achievements for children.

We would like to note areas of continuing concern for delivery of services, namely: mental health, youth services, care placements (including foster and secure), children impacted by sexual assault (SARC services),¹ as well as those receiving a fixed or permanent exclusion. Gwent OPCC are particularly concerned over children and young people being held in police custody due to limited availability of care placements. We would welcome further opportunities to discuss these, and other concerns with Welsh Government.

- Evidence of whether the Measure has led to improved outcomes for children and young people;

We believe that there has been important work undertaken to raise awareness of the Measure and promote child's rights. However, at present there is limited evidence on how the measure has delivered positive outcomes for children and young people in Wales. We would welcome

¹ Are there any further areas we would like to flag about deficiencies relating to Welsh Govt. services or related devolved services with regards to impact on the rights of children and young people?

some examples of good practice and ways in which we can support the application of these approaches across our region, and with our partners.

- Whether the duties within the Measure have been embedded effectively across Welsh Government cabinet portfolios and policy;

There is a clear commitment to the Measure across cabinet portfolios and policy. But, again, it is unclear how this commitment is implemented practically. While there has been progress across cabinet portfolios, especially in relation to an understanding and awareness of the measure, the UN Committee's 2016 concluding observations regarding the rights of children note a number of areas of concern that still remain relevant. These include mental health care and the emotional wellbeing of children and young people, rising concerns about sexual abuse and exploitation, the lack of informal youth service provision, and the care of looked after children.

- The extent to which the Welsh Government has sought to ensure that its duties within the Measure are translated into the work of the public bodies it provides funding to, including local authorities and NHS bodies;

We have observed examples of practice that would indicate the Measure is effectively translated into the work of public bodies. Youth Services have been instrumental in promoting a children's rights approach through their extending entitlement and participation standards work. Public services have also received training and awareness sessions through Children in Wales, for example, which has further supported the implementation of this approach.

- The extent to which the Welsh Government has implemented its duty to promote knowledge and understanding of the UNCRC amongst the public, including children and young people;

The Measure represents an important step in securing the rights of children within law in Wales. Given the significance of this step, there is room to promote the Measure and its benefits for children and young people more widely to public. One of the most effective initiatives for embedding the principles of UNCRC, which currently exists in many schools across Gwent is the Right's Respecting School programme delivered through UNICEF. This initiative uses a whole school approach to embedding the principles of UNCRC. Through observations and feedback, this is one of the examples of an effective UNCRC approach across the region.

- How the duty to have 'due regard' to the Convention on the Rights of the Child is being implemented in practice and whether Child Rights Impact Assessments are being used as a meaningful tool;

We are not aware of any impact of the Measure being practically implemented on services that are related to Policing. However, we support and often facilitate collaborative working through the Office of the Police and Crime Commissioner, and it is through our collaborative working arrangements with local authorities in our region, we recognise the efforts made by areas to fully embed a Children's Rights approach in their formal democratic processes. Where possible and necessary, we will support this activity, particularly as the Commissioner represents the voice of the wider community through our work with key decision makers. We do however, recognise the complexities of this approach and would like to highlight the challenges in embedding a children's rights approach. Given the correct guidance for implementation, we support the concept of children's rights as a meaningful tool, particularly within key decision-making processes.

- The effectiveness of the Children's Rights Scheme and the most recent Welsh Government compliance report, and the extent to which they evidence sufficient action on the part of Welsh Government to ensure full implementation of the Measure;

The report provides information and evidence on what Welsh Govt. have done to meet the core aims of the measure. However, the examples are in some cases too narrow in evidencing the full scope of how the core aims are delivered upon. Therefore, consideration should be given to providing more diverse examples across a range of different areas to evidence delivery.

- How effectively the Welsh Government responds on a strategic basis to the Concluding Observations of the UN Committee on the Rights of the Child.

Following the publication of the UN Committee's concluding observations in 2008, Welsh Govt. developed an action plan to respond the observations / concerns of the committee. It does not appear that a similar action plan has been developed or published for the 2016 concluding observations. We would expect to see an action plan developed in order to address the concerns raised by the committee and deliver the commitments of the Measure.

However, in addition to the issues raised in the observations, we would welcome the opportunity to provide input on other areas of emerging concern we identify as a police service, particularly around children impacted by criminal exploitation and serious organised crime / violence.

As Gwent OPCC we are committed to promoting the rights of Children and Young people. Particularly through the NPCC child-centred policing strategy and would be interested in furthering discussions between Welsh police colleagues, National Assembly and Welsh Govt. on implementing a child-rights policing approach in Wales.