



**Cynulliad Cenedlaethol Cymru
The National Assembly for Wales**

**Y Pwyllgor Plant a Phobl Ifanc
The Children and Young People Committee**

**Dydd Mawrth, 10 Tachwedd 2009
Tuesday, 10 November 2009**

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Cofnodir y trafodion hyn yn yr iaith y llefarwyd hwy ynndi yn y pwyllgor. Yn ogystal, cynhwysir cyfieithiad Saesneg o gyfraniadau yn y Gymraeg.

These proceedings are reported in the language in which they were spoken in the committee.
In addition, an English translation of Welsh speeches is included.

Aelodau'r pwyllgor yn bresennol
Committee members in attendance

Eleanor Burnham	Democratiaid Rhyddfrydol Cymru Welsh Liberal Democrats
Christine Chapman	Llafur Labour
Helen Mary Jones	Plaid Cymru (Cadeirydd y Pwyllgor) The Party of Wales (Committee Chair)

Eraill yn bresennol
Others in attendance

Keith Towler	Comisiynydd Plant Cymru Children's Commissioner for Wales
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Swyddogion Cynulliad Cenedlaethol Cymru yn bresennol
National Assembly for Wales officials in attendance

Sarah Bartlett	Dirprwy Glerc Deputy Clerk
Siân Thomas	Gwasanaeth Ymchwil yr Aelodau Members' Research Service
Tom Jackson	Clerc Clerk
Helen Roberts	Cynghorydd Cyfreithiol Legal Adviser

Dechreuodd y cyfarfod am 9.30 a.m.
The meeting began at 9.30 a.m.

Cyflwyniad, Ymddiheuriadau a Dirprwyon
Introduction, Apologies and Substitutions

[1] **Helen Mary Jones:** Bore da a chroeso cynnes i gyfarfod Pwyllgor Plant a Phobl Ifanc. **Helen Mary Jones:** Good morning and a warm welcome to the Children and Young People committee.

[2] Atgoffaf bawb fod croeso iddynt ddefnyddio'r Gymraeg a'r Saesneg ac yr ydym yn disgwyl i ran o'r sesiwn gael ei wneud drwy gyfrwng y Gymraeg. Fe'ch atgoffaf hefyd fod yr offer cyfieithu ar gael yn eich helpu i glywed y sain yn well yn ogystal â darparu cyfieithiad. Hoffwn ofyn i bawb ddiffodd unrhyw ffonau symudol, 'mwyar duon' neu offer electronig tebyg. Nid yw'n ddigon i'w gadael ar 'tawel' gan eu bod yn amharu ar yr offer cyfieithu a darlledu. I remind everyone that they are welcome to speak in Welsh or English, and we expect part of our session to be conducted through the medium of Welsh. I also remind you that the translation equipment available can be used to amplify the sound as well as to provide a translation. I ask everyone to switch off mobile phones, BlackBerrys or other such electronic devices. It is not good enough to put them on 'silent', because they interfere with the interpretation and broadcasting equipment.

[3] Nid ydym yn disgwyl ymarfer tân, felly os clywn y larwm, bydd rhaid inni ymateb. Bydd y tywyswyr yn dangos y We are not expecting a fire drill, so if we hear the fire alarm, we should respond. The ushers will lead us safely out of the building.

ffordd orau allan i ni.

[4] Gofynnaf i'r Aelodau wneud datganiadau o fudd, o dan Reol Sefydlog Rhif 31. Gwelaf nad oes unrhyw fuddiannau i'w datgan.

I invite Members to make any declarations of interest, under Standing Order No. 31. I see that there are no interests to be declared.

[5] Cyn inni symud ymlaen, hoffwn eich hysbysu fod Abi Phillips yma i wrando ar ein cyfarfod heddiw. Bydd Abi yn cymryd lle Tom fel clerc i'r pwyllgor. Mae hwn yn gyfle da imi ddiolch yn fawr i Tom am ei holl waith caled. Yr ydym yn edrych ymlaen at weithio gyda Abi, ond byddwn yn gweld eisiau Tom. Fodd bynnag, bydd Tom yn parhau i gydweithio gyda Abi am gyfnod er mwyn sicrhau dilyniant gan ein bod hanner ffordd drwy ein gwaith.

Before we move on, I would like to inform you that Abi Phillips is here to listen our meeting today. Abi will be taking over from Tom as the committee clerk. This is a good opportunity for me to thank Tom very much for all of his hard work. We look forward to working with Abi, but we will miss Tom. However, Tom will continue to work with Abi for a while to ensure continuity, given that we are halfway through our work.

[6] Yr wyf wedi derbyn ymddiheuriadau gan Lynne Neagle, sydd yn methu bod gyda ni heddiw. Mae Angela Burns mewn cyfarfod o'r Pwyllgor Cyllid, ac y mae'n debygol o ymuno â ni am 10.00 a.m. Nid oes dirprwyon ar gyfer y cyfarfod hwn.

I have received apologies from Lynne Neagle, who cannot be with us today. Angela Burns is in a meeting of the Finance Committee and is likely to join us at 10.00 a.m. There are no substitutions for this meeting.

9.32 a.m.

Craffu ar Adroddiad Blynyddol Comisiynydd Plant Cymru Scrutiny of Annual Report of Children's Commissioner for Wales

[7] **Helen Mary Jones:** Prif fusnes y cyfarfod yw craffu ar adroddiad Comisiynydd Plant Cymru. Felly, croeso cynnes i Keith Towler a diolch yn fawr iddo a'i dîm am adroddiad swmpus, fel arfer.

Helen Mary Jones: The main business of this meeting is to scrutinise the Children's Commissioner for Wales's report. Therefore, I give a warm welcome to Keith Towler and thank him and his team very much for a substantial report, as usual.

[8] Deallaf, Keith, y byddech yn croesawu'r cyfle i ddweud rhai geiriau cyn inni droi at y cwestiynau.

I understand, Keith, that you would welcome the opportunity to say some words before we turn to questions.

[9] If you would like to make a few brief introductory remarks, that is fine. As you know, it is not our usual practice to allow witnesses to do that, but this is a special occasion, so you will get away with it.

[10] **Mr Towler:** Thank you, Helen, and thank you for the opportunity to be here. I cannot quite believe that it is 12 months since my first appearance before you with an annual report. Of course, on that occasion, I recall that the King of Lesotho was sitting in the public gallery watching us. So, it sticks in my mind clearly.

[11] Thank you for the opportunity to speak to you quickly. It has been a busy, but good year for the Office of the Children's Commissioner for Wales. We have produced four major reports during the course of the year. The one on the United Nations Convention on the Rights of the Child and the reporting process to the UN committee was a productive way

forward and no doubt we will have a conversation later about its concluding observations and how the Welsh Assembly Government might take forward its responsibilities under the action plan that it is drawing up.

[12] Secondly, our work on child trafficking was about raising awareness of the issue, and it attracted a lot of media and public interest. We need to see some work flowing from that, but we are pleased that we did that piece of work.

[13] There was also our work on 'A Happy Talent', on disabled children's play. It was not a review in the sense of coming up with recommendations, but we did provide an overview of the condition of disabled children's play.

[14] There is also the review of my office. You will recall that, last year, I submitted a paper to you, including my formulating views on what we needed to do in the office. We have now completed the restructuring and there is a new management team in place. The new chief executive, Eleri Thomas, is in the public gallery, gazing down and watching us. I hope that Eleri will join me here in future years when we come before you to present future annual reviews. The issue for me about the restructuring was the opportunity to build a high-performing team, to ensure that the office of the children's commissioner is working the best that it can to deliver good and positive change for children.

[15] In terms of moving on, I expressed frustration last year about the gap between policy and implementation and that frustration still sits with me. This morning, when I was doing some media interviews about the annual report, I spoke about the reorganisation of local health boards, where safeguarding sits in that, and where children's services sit in that. I welcome the recent reports from the Care and Social Services Inspectorate Wales and Healthcare Inspectorate Wales regarding safeguarding issues, and they put their finger on the point: we have the policies and strategies in place, so why are we not seeing the practice flowing? I still feel that level of frustration.

[16] Children are still facing inequality. Rates of child poverty in Wales have increased in the past year and there are other inequalities in relation to play and financial support, and I have to mention the 't' word again: toilets. I know that I am like a broken record on school toilets, but the bottom line is that we still have not seen these minimum standards. Why are we not seeing progress on such issues?

[17] So, in terms of moving forward in the year ahead, my high-performing team that I want to establish will be trying to drive forward the priority areas of work for us. The focus has to be on practice and outcomes for children. I said it last year, and I am saying it again this year. Progress has been too slow. Thank you for the opportunity to outline a few issues.

[18] **Helen Mary Jones:** Thank you very much, Keith. I am sure that much of what you have said will resonate with committee members; it certainly does with me, particularly the point about the gap between process and practice.

[19] I think that you have been informed that, in this session, we would like to ask a few questions first about the practice of the office itself and some of the changes that have happened, and then we will move on to the issues that you have raised in your report. The committee will then give consideration to the way in which we wish to pursue some of the issues that you raise with Ministers. There are various scrutiny opportunities available to us, such as inviting Ministers to appear before the committee and raising questions in writing. There will also be a formal debate on your report and we also have the option of tabling a report of our own in response to your report, to which Ministers would also have to respond. So, we will explore those options in light of the responses that you give to our questions today.

[20] I will ask the first question, which touches upon the issues that you have mentioned regarding the office restructure. You state that you have led the office restructure during the 12 months and that that has been successfully achieved. Can you outline how the new structure will better enable you to fulfil your responsibilities to promote the rights and welfare of children? How will you monitor the impact and effectiveness of the changes that you have driven forward?

[21] **Mr Towler:** On the restructuring, I went back to look at the remit of the Children's Commissioner for Wales and looked at how the office had developed over seven years in that first term and started thinking about how—in relation to the remit—we needed to shape ourselves to deliver the services and support that we want to see being driven forward for children and young people. So, it really did take me back to remit. That is an important point.

[22] On the issue about promoting and safeguarding the rights and welfare of children, you mentioned raising awareness about the rights and welfare of children, which was also raised in the work that Nigel Thomas had done in Swansea University's evaluation of the office. There were big questions about awareness of the commissioner and children's rights.

[23] To try to drive forward that kind of restructuring, I was asking questions within the office about how we have got to where we are and where we need to move to now. We had quite a debate last year about the calls that come into the office regarding advice and support. I do not see my office as being a front-line service delivery organisation. We are not a child protection organisation; we are not an organisation that should be trying to protect children on a day-to-day basis; that is not what we do and it is not what we should be doing. In fact, if we were doing that, it would be quite dangerous.

[24] So, we had to start thinking through how we can effect and influence change in practice by those people who are the duty bearers for children. That was the kind of thinking for me. It was then a matter, within the remit, of thinking about the powers and responsibilities of the Children's Commissioner for Wales: the power of review. I became quite interested in the service evaluation side of our work as an office and wondered why, in discussions with the staff team, who have been around for a while, we had not majored on service evaluation a bit more. We looked at service evaluation as an opportunity to work with local agencies and think about how we could work alongside them to evaluate the work that they are doing, understand the blockages, and assist them to develop their practice. So, I have come up with a restructuring that tries to focus on how we can, first, provide leadership to the field; secondly, raise awareness of children's rights in particular, and also of the role of the commissioner; and, thirdly, drive forward some practical solutions, unblocking what prevents people from delivering services in the way that you and I—and, indeed, the majority of practitioners—would like. It is worth making that point.

9.40 a.m.

[25] I now have in place a new management team with a chief executive, who is also the Deputy Children's Commissioner for Wales, so if I am unable to act, she is the deputy. She is the chief executive, the top officer, within the Office of the Children's Commissioner for Wales, which is quite a distinction from what went before. What I am saying there is that I want that organisation to be accountable to a chief executive who will be answerable to me. As for the way in which we work, we had some discussion last year about management processes, and the chief executive will have responsibility for driving forward the work programme of the office. There are no longer assistant commissioners with different roles and functions; there is a chief executive who will run the organisation, and she has a head of operations, who will oversee the policy work, service evaluation, and the investigation and advice service. Then we have a head of corporate services, who does all the governance and

financial work. I am quite clear about how that will work; we have stripped out previous management tiers and have a much flatter structure. We are investing in the skills and abilities of our team to deliver the work programme that we have set, and I am clearer in my own mind that we have a structure that can deliver against our remit.

[26] You asked how we will monitor effectiveness; I had the benefit of coming in as a commissioner when Nigel Thomas was concluding his evaluation, and that was very helpful. One of the things that we need to think through as we develop our corporate plan is how we would like to take forward independent evaluation of this work. We have to think that through over the next couple of months. As for a commitment to continue to evaluate externally, that first evaluation was really useful, and I want to ensure that we maintain it. Within the corporate plan that the chief executive is tasked with cracking in the next few months, we will be setting clear targets about the work plans for my office. They will be transparent, and we will share them with you and other stakeholders. We will be clear about what we will do, we will monitor delivery, and, critically, we will involve children and young people in formulating those plans and monitoring their impact.

[27] I want greater clarity about how the office of the children's commissioner works. When I became commissioner, there was some confusion about roles, work programmes, and what exactly a commissioner does. I want that to be clearer, so that, from my point of view, when it comes to monitoring effectiveness, the chief executive will be held to account to ensure that we are delivering the targets that we are setting within the corporate plan. We will be clear with you and with everyone else about what we are doing, how we are doing it, what the timescales are, how children are involved, and whether we deliver or not will, I think, be pretty obvious. We will have set those targets, and we will have made them transparent.

[28] **Helen Mary Jones:** Diolch. Eleanor, a oes gen ti gwestiwn atodol? Gofynnaf i bawb i gadw eu cwestiynau atodol yn fyr.
Helen Mary Jones: Thank you. Eleanor, do you have a supplementary question? I ask everyone to keep supplementary questions brief.

[29] **Eleanor Burnham:** I note that there is an early retirement benefit paid to a previous deputy commissioner. How old is that person, and how long will the compensation last?

[30] **Helen Mary Jones:** Ni allwn ofyn cwestiynau am unigolion; nid yw'n berthnasol.
Helen Mary Jones: We cannot ask questions about individuals; it is not relevant.

[31] **Eleanor Burnham:** I have not mentioned the person's name.

[32] **Helen Mary Jones:** Dim ond un person sydd. Mae hynny allan o drefn, Eleanor, oherwydd mae'n ymwneud â phreifatrwydd person. Fodd bynnag, fe allwch chi ei godi gyda Keith y tu allan i'r cyfarfod hwn.
Helen Mary Jones: There is only one person. That is out of order, Eleanor, because it involves someone's privacy. However, you may raise it with Keith outside of this meeting.

[33] **Eleanor Burnham:** An organisational chart would be very helpful; I always find pictures better than words. Could we have one?

[34] **Mr Towler:** Yes, indeed.

[35] **Helen Mary Jones:** Diolch; byddai hynny'n ddefnyddiol.
Helen Mary Jones: Thank you; that would be helpful.

[36] Chris, the next couple of questions are from you.

[37] **Christine Chapman:** I will ask you a few questions about casework and advice, and I wish to thank you because I have referred a few cases that I have dealt with in my office to your office. As in previous years, the majority of initial contacts to your office are made by adults, and in 2008-09, where the origin can be identified, 94 per cent of initial contacts were made by adults. Do you have ambitions to increase the number of children making the initial contact with your office in 2009-10, and, if so, by what percentage of the overall total?

[38] **Mr Towler:** Thank you for that question. We had a debate last year about that point, too. It is still pretty much the same position in that it is adults who predominantly get in touch. You will see in the annual report—and this of course relates to the advice and support service—that 32 children and young people got directly in touch with the office to seek advice or support or to make a complaint about something. To answer the question about whether we want more children and young people to get in touch, the answer would be ‘yes’. There are a few things that the children’s commissioner must do, and one of them is that he or she must ensure that children and young people know where he or she is, know where the offices are, and are very clear that they can get in touch at any time.

[39] We have been quite successful this year in raising awareness of the role of the commissioner and of children’s rights. On a percentage, there are two things that we need to bear in mind. The first is the way in which the commissioner’s office and I engage with children and young people generally and collect their views about things that are important to them. We have done a bit of work on that. The second is the extent to which children and young people feel confident enough to get in touch with the commissioner’s office, in relation to the investigation and advice service. I would like more children and young people to get directly in touch with the office.

[40] We talked last year about signposting and how my office can signpost cases to local resolution, and that has worked quite well during the course of this year. We would never signpost a child or young person as we would always deal with them directly. It would be better, from my point of view, if children and young people had more confidence in contacting me. I think that there is an interesting double whammy in place. School-based counselling services, which are now rolling out, are a fantastic development, and I am really pleased about that. You would hope, in the fullness of time, that if children could identify and have confidence in talking to someone locally, they might not need to make contact with the commissioner. So, setting a target for the investigation and advice service is probably not terribly helpful. The issue is of setting a target to ensure that we are really getting children and young people to understand that the backstop position for them, if they ever require it, is to get in touch with the commissioner’s office. That is something that they really need to understand and pick up on, and I am reliant on many organisations, including schools and hospitals, promoting the fact that we have a children’s commissioner. I have been really pleased with the way in which local services have wanted to engage with the office of the children’s commissioner in the past year and make that information freely available to children. So, I would hope that the percentage would increase.

[41] **Christine Chapman:** I will return to adults seeking assistance. In which ways, if any, do your systems ensure that adults who are seeking the assistance of your office do so in a way that reflects the child’s wishes and feelings and the child’s right to have a say in decisions that affect them?

[42] **Mr Towler:** If someone comes in for straight advice from the investigation and advice service, be they parents or grandparents—although we are increasingly getting a few more professionals—they will sometimes be talking about their own needs and desires, so

what we must unpick is the child's view among all of that.

9.50 a.m.

[43] You will see that we have had 529 new cases this year, 321 of which were signposted and 208 of which became full cases, which are, in other words, ones that we decided that we were going to drive forward. In all those cases, officers would be meeting children and young people directly, seeking their views on what the issues were and trying to advocate on their behalf. That can sometimes put them in a difficult position between parents and professionals who have different views, but the role of the commissioner's office is to listen to what children and young people are saying and to make sure that their voices are heard, regardless of the issue that is being discussed. That is part of the operating methodology that we use as a team. We would always do that, and you have an assurance that that will continue.

[44] **Eleanor Burnham:** Mewn blynyddoedd a fu, mae'ch arolygiad blynyddol wedi cynnwys gwybodaeth ynglŷn ag oedran a rhyw y plant a phobl ifanc sy'n dod atoch am gyngor ac yr ydych yn gwneud gwaith ar eu rhan. A ydych dal i gasglu'r wybodaeth honno? Os ydych, pam nad ydych wedi ei chyhoeddi eleni? **Eleanor Burnham:** In previous years, your annual review has included information about the age and gender of the children and young people who come to you for advice and on behalf of whom you work. Do you still collate this information? If you do, why have you not published it in this year's report?

[45] **Mr Towler:** The answer is that we do collect the information, and we do have it. If you would like a full breakdown of it, we can supply that to you. We have a database and this year we have been working on developing it. One problem that we have had in previous years has related to developing that database and being able to interrogate it sufficiently in order to pick out trends and see what might be going on. We have put more work into the database. There is more work still to do; it is not completed, by any stretch of the imagination. We do record gender and age, but it is not always possible to record things such as age and ethnicity when you are dealing with a text or a phone call. I will give you an example. A member of staff of the investigation and advice service recently had a text conversation with a young person, which took place over two or three weeks, about an issue that was going on in school. By the end of the third week, we discovered a few things: the young person was male, he was about 14 years of age, and he was in school in England—he had got hold of our details. So, there are some statistics of which we would not be aware. In that case, although that young person came from England, we did not say, 'Bye bye'; we continued to support him in the same way as we would if that young person was from Wales. So, our figures are sometimes not as robust as they might be.

[46] With regard to those cases—I have the breakdown in front of me—the male/female split is pretty even; there are slightly more that refer to boys and young men than to girls, but the difference is negligible. We can give you age breakdowns and information on ethnicity—all that kind of information. However, there is always a caveat: when you see the word 'unknown', it is because officers will sometimes have had a conversation or a text conversation that might never give us that kind of information.

[47] **Eleanor Burnham:** That is quite surprising. Would you not ask where someone lives before you pursue—

[48] **Mr Towler:** No. It depends on the circumstances.

[49] **Eleanor Burnham:** Would you ask whether they live in Wales?

[50] **Mr Towler:** It depends on how stressed out someone is. You have to bear in mind

that sometimes those conversations can be very difficult. So, to ask, 'For the benefit of my form, can you tell me how old you are and where you live?' might not be what we want to achieve. You have to bear with us on that, and you need to trust me when I say that we will do all that we can to make sure that we do not let those children down. We work in their best interests, and not being able to determine whether they live in Caerphilly or Essex is a secondary issue to making sure that we respond to them appropriately.

[51] **Eleanor Burnham:** Could you not refer that young person's case to the English children's commissioner?

[52] **Mr Towler:** Interestingly, the Children's Commissioner for England cannot assist in individual cases; he does not have the power to do so.

[53] **Eleanor Burnham:** Thank you for reminding us about that.

[54] **Helen Mary Jones:** Basically, Keith is saying that they could not do that because our commissioner is better than theirs.

[55] **Mr Towler:** Absolutely, and more powerful. [*Laughter.*]

[56] **Christine Chapman:** Education remains the main issue that your office was contacted about for help. The review states that, of the 177 education cases, 27 were about special educational needs, 25 were seeking advice, and 21 were about complaints. Can you tell us more about the nature of the remaining 104 education cases?

[57] **Mr Towler:** I remember talking to you about this last year, and, primarily, these cases will be about bullying in schools. Sometimes, children and young people will phone up for a bit of advice about individual pathways that they might want to take forward. Families sometimes ask about those issues to find out what options are open. School reorganisation has been pretty prominent in some of those calls, in that we are asked for an opinion about any given LEA's plans to close primary schools and to open a superschool or whatever. Just for your information, those are the sorts of things involved. In those kinds of cases, we try to point out to the local authority that it might not be under a legal duty to consult with children and young people, but in the consultation process for school reorganisation, it really must ensure that it gets the views of children and young people. That issue did feature in this last year, and it continues to feature.

[58] As for the biggest individual issue, I would have to say that it is bullying.

[59] **Christine Chapman:** Moving on to an issue of communication, the annual review identifies a range of media activities that you have undertaken over the past 12 months, and it calculates that

[60] 'there have been 39 million opportunities to hear about the Commissioner over the last twelve months.'

[61] Can you tell us more about who you perceive to be the audience for this increased media coverage? How will such media coverage support your statutory responsibilities to promote the rights and welfare of children?

[62] **Mr Towler:** As I mentioned earlier, I took the lead on thinking through the importance of engaging with the media early on in my tenure as children's commissioner. I really wanted to set out a platform on which to raise certain things, and it was not about promoting the children's commissioner so much as promoting children's rights and the role of the children's commissioner. There were a couple of learning points for me in that, one of

which was that ‘Keith Towler’ became the face of this approach, and so I realised that I needed to up my game with regard to how I perform in front of the media. That was a bit of learning curve, if I am honest, and it is still going on.

[63] In terms of the audience, I clearly wanted to engage the general public in a debate about the state of childhood today, what we think a good childhood should look like, how important children’s rights were and are, and the significance of those things. That is being driven forward, helped by the UN committee’s concluding observations, which asked us why, in the UK, we dislike our children so much, particularly looking at the incredibly negative portrayals of children and young people in the media? One of the things that the children’s champion—the advocate—ought to be doing is speaking up on behalf of children and young people, to remind people that children and young people achieve fantastic things every day of the week as part of their families and their communities, in education, and in their private lives. So, I really wanted to up the profile and target the general public.

[64] Within your question, the issue of how children and young children themselves engage with the media is implied. That is something that we want to take forward in our corporate plan, in thinking about how I engage with children and young people and what media and communication platforms we use for that. It is also about how children and young people get their voices heard in the media, and where they get their news and information from. Explicitly within that first year, however, we really wanted to target adults to raise awareness of the significance of the rights-based approach. To a large extent, I think that we did that. The reporting process to the UN, and the concluding observations, gave us all these great opportunities to engage with the media. During this past year, there has been a much more open discussion about the UNCRC, for instance. You can have a conversation with people about the convention and rights and people know about that stuff. That is what we set out to do—although I would not claim sole responsibility for that, of course. However, the awareness raising of a rights-based framework was targeted very much at adults. Building on that, the next thing to consider is how children and young people engage with the media and how we get their voices heard in these discussions and debates.

10.00 a.m.

[65] **Helen Mary Jones:** Credaf fod **Helen Mary Jones:** I think that Eleanor’s cwestiwn nesaf Eleanor yn dilyn y pwnc next question follows on from that subject. hwnnw.

[66] **Eleanor Burnham:** Yes, my question does follow on from that. We are living in changing times regarding the media. The media in Wales is in a great state of flux, as some of us know from being members of other committees. It is difficult because a lot of coverage of Welsh issues is not aired in the regular media. Are you taking all this on board, such as social networking sites, weblogs, and tweeting and so on? Will you engage in that, because that is what the youngsters are doing?

[67] **Mr Towler:** Absolutely. Internally, as an organisation, we have a communications strategy and, as part of the restructuring, we now have a staff member who is doing a multi-platform something or other—and I do not understand all the jargon—looking at how we can engage with children and young people. We have redeveloped our website this year as part of the restructuring, and we have looked at how children and young people engage online with our office, by redeveloping the Backchat section and those kinds of things. I also blog intermittently, God help me, and the *Western Mail* prints parts of the blog and it goes on our intranet. We will make that more available. I started out feeling reasonably cynical about this, but I am now convinced that people read the blog and that, if I decided to start twittering, there would be people out there who would want to pick up that stuff. So, we need to be a bit more strategic about how we are using it. I want to put a bit of emphasis on how children and

young people communicate and engage. So, under a theme of positive images within our corporate plan, we will think about how we can engage with children and young people and give them more opportunities to get their voices heard. The point that you make is an issue for programmes such as *Newsround*. Lots of children and young people watch *Newsround*, but there are not many stories about Wales on it.

[68] **Eleanor Burnham:** Have you been on *Newsround*?

[69] **Mr Towler:** No, I have not. That is probably one of the few programmes I have not been on.

[70] **Eleanor Burnham:** You should go on it.

[71] **Mr Towler:** Yes, okay. Note to self: get on *Newsround* in the year ahead. I will do that. One issue that children and young people talk to me about is the media. I have now met with most of the media outlets in Wales, at chief executive or director level, to ask whether we can do some thinking about whether children and young people can take part in the world of the media. I have pushed at a bit of an open door there in those early discussions, so I feel that it is now incumbent on me, in my corporate plan, to come up with some plans on how I would like to work and to invite media outlets to get on board. So, having made those initial approaches, I think that I have pushed at an open door. They have all said that they would be interested in working with me on this. I now have to come up with some ideas on how we can do that. I want to work with everyone to make this happen. That is critical.

[72] Finally, from a broadcast media point of view, organisations such as the BBC Trust are very aware that children and young people do not access their services in the way that adults do. They will lose future consumers unless they get to grips with this debate.

[73] **Eleanor Burnham:** I have a figure here that, in 2008-09, the percentage of children and young people who could be identified as having made initial contact with your office for advice and assistance was 6.1 per cent, as compared with a greater percentage of 7.1 per cent for the previous year. Have you had any thoughts on, or clarification of, that?

[74] **Mr Towler:** On children and young people contacting the office, do you mean?

[75] **Eleanor Burnham:** Yes.

[76] **Helen Mary Jones:** I think that the context of the question is that, given that you have been doing a lot of work to raise the profile, why have you had a lower percentage of young people contacting you over this year than in the previous one?

[77] **Mr Towler:** I have no idea why that should be case. However, anecdotally speaking, when I have appeared in the media or have been in various parts of Wales trying to raise our profile, we invariably get some kind of knock-on effect by way of calls that come into the office, from children directly or from others. The investigation and advice team often asks me when I pop back into the office whether I have been to Carmarthenshire or Gwynedd, say, because it will have had calls from those areas. There is no doubt in my mind that raising awareness, either through my doing something in person or being involved in something in the media, has an impact—anecdotal though that evidence is. However, it is not sufficient to drive up the numbers in the way that you and I would like. So, there is some correlation there but I could not answer the question about why that figure has gone down.

[78] **Eleanor Burnham:** Gwnaed **Eleanor Burnham:** The team that has been argymhellion gan y tîm a fu'n arolygu eich auditing your office has recommended that swyddfa y dylech sefydlu tîm arbennig ar you establish a special team for children in

gyfer plant sydd mewn gofal, neu rai sydd care, or those who have left care. What is wedi ymadael â gofal. Beth yw eich ymateb your response to that recommendation? i'r argymhelliad hwnnw?

[79] **Mr Towler:** That was a useful recommendation. As part of his remit and responsibility, the children's commissioner must have due regard for vulnerable children. Within the past year or 18 months of my tenure as children's commissioner, I have seen that there are three groups of children whom we need to focus on in our corporate plan and in our way of working. The first group is definitely children in the looked-after system. There is no reason to say this, but I will say it anyway. There is a really good illustration in the recent Care and Social Services Inspectorate Wales report, 'Safeguarding and Protecting Children in Wales', in which it states very clearly that agencies are good at making assessments when children are at risk, and the public can take some satisfaction from knowing that, once we have spotted a risk, we respond. However, where that practice is, in its words, 'variable' is when children get hooked into our safeguarding and child protection systems. That is a massive issue for children in the looked-after system—and we know all about the issues with educational attainment. As for how we work as an office, I had to think about whether to set up a specialist team to look at looked-after children or whether to think about prioritising vulnerable groups of children, and I chose the latter. However, I think that there are three groups of children to focus on. The first is looked-after children, the second is disabled children, and the third, possibly, is Gypsy/Traveller children.

[80] To illustrate my thinking on that, with disabled children, I personally have met groups of disabled children from across Wales who talk eloquently about poor resources, postcode lotteries of provision, access to play being denied them, and wheelchair provision. All these matters feature in the report.

[81] The reason I specifically mentioned Gypsy/Traveller children is because, when the UN committee sent two rapporteurs to Wales, I took one of them, Lucy Smith, to meet some Gypsy/Traveller children, as you may recall. I know that we have discussed the support needs of Gypsy/Traveller children, but Lucy was shocked by what she saw, and that really emphasised the point for me. We may have debated the matter here and said that we really had to do something about Gypsy/Traveller children, but when I saw it through her eyes, when someone from another country was asking me how on earth we could allow it to continue, and when I saw her shock at the fact that a country such as Wales should have children in those circumstances, it really brought it home to me.

[82] So, those three groups of children will be prioritised in our corporate plan, although that falls short of implementing the recommendation to have a team specifically for looked-after children. I think that we need more flexibility in how we work as an office moving forward.

[83] **Christine Chapman:** You have touched on this, Keith, but this question is to do with the priorities that you have outlined in the annual review. You state that your office,

[84] 'will be implementing a new system which will enable us to systematically listen to children and young people, whilst making sure that those who advocate for more vulnerable or minority groups also have the opportunity to make their issues a priority'.

10.10 a.m.

[85] Can you tell us more about this new system and how your work will be different next year as a result of these changes?

[86] **Mr Towler:** Going back to the remit again, everything that the Children's

Commissioner for Wales does have to be defined by two things: the UN Convention on the Rights of the Child and what children and young people tell me. In designing the structure of the office, I have given the strategic and lead responsibility for children's participation in the way that we work to the chief executive of the organisation. That was a bold thing to do, but it signalled the fact that the top of the organisation of the office of the children's commissioner must have a clear responsibility for ensuring that children and young people's participation is embedded in everything that we do and think as an organisation. I did not want that responsibility resting or being buried in the organisation. It needs to be embodied by how the organisation behaves. So, the chief executive of the organisation is held to account to ensure that children and young people are involved at every stage of our work. That is a significant development. It made it a tough ask to find a chief executive who had the right skills, but we found one, so I am really pleased about that. That is important and that signals quite a step change.

[87] As part of the restructuring of the website, we have looked at areas such as Backchat, through which children and young people can convey their views to the children's commissioner's office. We have been a bit more strategic in the past year in thinking through what we might ask children and young people to feed into us. For instance, when we were submitting evidence in relation to the Learner Travel (Wales) Measure 2008, we asked children and young people questions such as, 'How do you get to school?' and 'What are your safe routes to school?' so that we could tailor the discussions and conversations that children have online, and match them to the opportunities that we have to influence people. Therefore, if I appear before committees such as this, and people ask what children think about whatever, we can ensure that we have some provision for that. So, we have started doing that with the website, which means that I can talk to you with my hand on my heart. You will ask me for my assessment, but you would also expect me to know what children and young people think and feel about particular issues. Sometimes, that gets me into a bit of hot water—and I am thinking of the education maintenance allowance and what young carers were saying about identity cards. Those are the views of children and young people and I need to promote them.

[88] So, I have talked about how we have developed the corporate plan and how we work with children and young people. The other factor is the variety of different youth fora that are around, because I do not feel that the commissioner's office necessarily needs to own all these groups of children and young people. There are schools councils, and organisations such as Funky Dragon, which we are working with more strategically, and I am thinking about how my advisory groups of children and young people will work. All these things play a part in the process of ensuring that what children and young people say is embedded in everything that we do.

[89] We also need to demonstrate some leadership as an organisation on this, and that is part of the issue of being transparent about the corporate plan. If we are to establish ourselves as a high-performance organisation, my feeling is that we ought to be an exemplar of children's participation, ranging from really boring things such as audit committees and how we spend our money to more exciting things such as what we might be able to do to make children's lives better in a particular area. That really needs to be informed by children and young people, which means a cultural shift.

[90] That was quite a long answer, but I hope that you can see that children's participation does not feature as a line in the corporate plan about how we do that, but that it is embedded in every way, in how the organisation thinks, feels and behaves. Sometimes, that means that I will say things that are controversial, but out of the mouths of children and young people come some kernels of absolute truth. That is what I think that my job is about. The challenge to my office was not to let me feel exposed as commissioner. If you ask me what children's views are on a particular subject, I want to be able to give you good examples of what children are saying, ones are robust, clear and can be evidenced, and that is how we have to

work it.

[91] **Helen Mary Jones:** Question 10, which I was going to ask has, by and large, been answered, so I will move on to Eleanor and question 11.

[92] **Eleanor Burnham:** It is to do with the concluding observations of the United Nations Committee on the Rights of the Child.

[93] **Helen Mary Jones:** We are moving on to where we look at what you are saying about Government policy.

[94] **Eleanor Burnham:** In its conclusions observations, the UN committee raised a wide range of concerns; you have already mentioned a few in passing. Are you satisfied that the Welsh Assembly Government is doing enough to ensure that the same issues will not be impacting on children in Wales when the UN committee next reports on progress in Wales during the next five years?

[95] **Mr Towler:** What a great question.

[96] **Helen Mary Jones:** If you can try to respond in five minutes rather than the full half hour.

[97] **Mr Towler:** On 20 November, the Welsh Assembly Government will publish its action plan against the concluding observations. That is very welcome, and I am pleased with the seriousness with which the Welsh Assembly Government is treating child rights, and the seriousness with which it has looked at the concluding observations and started to unpick those areas where it can make a difference. It is right to do that. I am particularly pleased with Rhodri Morgan's announcement about scoping out the potential for a Measure, which would enshrine the CRC in the way in which this place behaves. That is a massive step in the right direction. If the Welsh Assembly Government was in a position where that could go through, we would be the first part of the UK that would take that action, which would be a massive step. Last year, we talked about whether that would be important—it certainly is.

[98] To give the full answer to your question—I know that we are pressed for time—the Westminster Government also has some responsibilities in relation to the concluding observations that impact on children's rights here in Wales. The positive attitude that I see reflected in the Welsh Assembly Government is not mirrored by what I see at Westminster. Last year I said that I felt that Westminster was working against the grain of children's rights; I have no reason to change that view. So, I still hold concerns about children in the asylum system, and I still have concerns about the recommendations in relation to youth justice and child poverty. However, in terms of the Welsh Assembly Government's approach, I am pleased. The acid test must be a bank delivery, and in this annual report, I have been suggesting—to give the example of play—that I am a bit disappointed that the action plan for the Welsh Assembly Government talks about reviewing and reshaping the play strategy. We need less reshaping of play strategies and more provision around play; we need more practical action about play. That is the challenge. The challenge must be about coming out with practice that children and young people can actually experience.

[99] **Eleanor Burnham:** However, we are in an economic recession. Is it a matter of money or attitude?

[100] **Mr Towler:** We are in recession, but there is still an awful lot of money sloshing about in the system. It is about how you use and prioritise that money. I do not see a lot of pooling of resources. We have a lot of discussion about partnership working and we have a lot of partnerships. We need to have a look at whether those partnerships are working effectively

and they need to focus on practice and the pooling of resources a bit more than they do.

[101] **Eleanor Burnham:** A speech therapist who came to the Communities and Culture Committee meeting last week made exactly this point, that so many people in the youth justice system, to which you just alluded, have severe communication difficulties. With all the partnerships and the wonderful people who are working in them, do you agree that the partnerships may exist, but that the attitude and the right focus do not?

[102] **Mr Towler:** Yes, and I think that there is something about the role and function of the local service boards—we have too much jargon in the partnership world as well. They should have a responsibility for taking an overview of how all the partnerships are working. They are the people who must have that overview. As part of their role and function, they should be asking local providers how they would deliver the service, could they pool resource, why they are all doing the same thing, and why these children are popping up in the youth justice system, when we should be circumventing that.

10.20 a.m.

[103] **Eleanor Burnham:** Finally, now that we have reviewed the local health boards, they have an important role in terms of much of the service delivery that you are talking about. Are you, therefore, raising awareness of that, talking to them, lobbying them and putting pressure on them?

[104] **Mr Towler:** My officers and I are doing that. At the moment, on health, we are particularly focusing on the designated child protection nurses and doctors who have a responsibility for providing specialist advice on how the NHS provides its safeguarding services. However—I will labour this point—we do not need further policies and strategies on guidance that would enable health authorities to share information in relation to safeguarding, as it is all there. This is about will and determination and about priority. It is not about spending money, looking for legislation or about this place drafting a new Measure.

[105] Lord Alex Carlile produced his review in 2002. There is no reason why anyone should hide behind data protection any longer. People need to share information, and we know, in relation to child deaths, looking at the baby P case and others, that sharing information is the critical task. So, it does not matter how bleak the economic climate is and what the problems are; this is about priorities and will. We should look at the local service boards, to see how the partnerships are working. We need to ask whether they can pool their resources and why they are not delivering in the way that they need to deliver. The focus on health is timely, because the LHBs are large organisations that need to engage with the arrangements of the local safeguarding children boards; that is quite a tough call, but they have to do it.

[106] **Helen Mary Jones:** Eleanor, I am going to take you on to question 13 now, because we are running short on time.

[107] **Eleanor Burnham:** How will the UN committee—

[108] **Helen Mary Jones:** Sorry, Eleanor, but I am skipping question 12 and going on to question 13, otherwise we will not get on to some of the substantial issues.

[109] **Eleanor Burnham:** I beg your pardon. You have already mentioned child trafficking and your report concluded that the Welsh Assembly Government should consider your practice and policy recommendations and respond within one year of the publication of the report. Your annual review states that you will be,

[110] 'working closely with those bodies to review the implementation of the recommendations across Wales'.

[111] Can you tell us how your office will be involved in monitoring progress on the recommendations on child trafficking?

[112] **Mr Towler:** Yes; the report, 'Bordering on Concern: Child Trafficking in Wales', raised awareness of the fact that child trafficking was happening here. I can remember having some discussion either in this room or with some of you, on why I had given local government a year in which to respond to some of the recommendations.

[113] **Helen Mary Jones:** That was with me.

[114] **Mr Towler:** Okay. Part of my thinking on that was to say that child trafficking happens in Wales. It is a big, unpalatable issue, but we need to get to grips with it. I told local authorities that I wanted them to get to grips with it in their localities and come up with a way forward. The Welsh Assembly Government convened a working group and I am pleased that it had its first meeting in October. Every time my office produces a review or a report with recommendations as part of our work programme, we systematically review progress on all of those recommendations, and we will continue to do that. In every annual report, you will get progress from me on child trafficking and we will specifically look to report back on that in March 2010. So, we will need to pick that up proactively and we will do so and will feed it through to you and to the Welsh Assembly Government group. So, it will not be off our radar.

[115] Interestingly, just as an aside to that, I am going to London next month to the Child Exploitation and Online Protection Centre. Following the work that we did on raising awareness of child trafficking, I had concerns about how police intelligence was being used, and CEOP got in touch with me. I will meet with it to see how it works and how it supports children who are being trafficked. So, that is still maintained on the radar. We monitor strategically how this goes forward. It will be part of our ongoing work programme.

[116] **Helen Mary Jones:** We would be grateful to be kept informed about that.

[117] **Mr Towler:** Yes, I will be pleased to do so.

[118] **Christine Chapman:** In your report on disabled children and young people's access to play, you conclude that,

[119] 'in most cases, provision for disabled children was seen as a very minor add-on'.

[120] What more should be done by local authorities and by the Welsh Assembly Government to ensure that all children in Wales enjoy their right to play?

[121] **Mr Towler:** When 'A Happy Talent' was published, the feedback that we received from local authorities was very positive. They welcomed the reminder; some progress had been made since we published the report and things were moving forward. Nevertheless, when I meet with disabled children, we still have those discussions about play. In terms of access to opportunities for play, it is still not really coming through in a practical sense. What we are beginning to see is that the commitment is there from local authorities and other providers, but we need to see some practical steps being put in place. I alluded to my disappointment with the Welsh Assembly Government's action plan in relation to the concluding observations and reviewing the play strategy. I do not know how many times we need to review the play strategy, but holding the review is not going to give children what they want, which is more opportunities and access to play.

[122] The other point that I would like to raise in relation to this more generally is the issue around transport. Children and young people, whether they are disabled or able-bodied, will talk to me about access and transport, and will very often say, in a conversation about play and open access, ‘You can tell me that I can go swimming next week if I want to, but I cannot get to the swimming pool; why can’t I have free transport?’. That transport issue, and how young people think about entitlement and access, will never go away, particularly when they see older people getting free transport.

[123] **Christine Chapman:** Do you think the proposed Children and Families (Wales) Measure will address the issues that you have raised?

[124] **Mr Towler:** I think that it will go some way to doing that. One phrase that I used a bit when we were describing the proposed Measure was its ability to ‘focus minds’; I think that it will. I am quite optimistic about local authorities’ responses to what we were saying. There is a willingness to do this, but it must be much more practically based than just being a focus on strategies. I will give you a very quick anecdote about a 12-year-old girl in a conference where a play strategy was being launched, who asked whether the slide that she needed in her park was included in that play strategy. The play officer had to say ‘No, but we really do support your commitment to and your entitlement to play’. All that that 12-year-old girl wanted was a slide in the park. It comes down to that—do not give me a glossy document, give me opportunities.

[125] **Helen Mary Jones:** Again, that chimes with a lot of what we, as committee members, feel. I will take you now to child and adolescent mental health. Obviously, the report has quite a bit to say about this. In your evidence to the UN committee, you highlighted the fact that, despite there being a strategy, you felt that, at that stage, the CAMHS provision was in crisis because of inadequate funding. Has your position moved on that at all? Do you see any progress, and do you have any faith that the joint review that we are expecting fairly soon will address these issues and begin to sort them out?

[126] **Mr Towler:** I have some faith that the joint review will do that. I have been involved in some discussions, but obviously I do not know the content of that review. However, my understanding is that that will be out in a few weeks. I am hoping that it will be an honest and open position paper, with some very clear recommendations about how it needs to move forward. I have been holding off and waiting for that review to do its work and to report back.

[127] One of your questions was whether I had seen any difference since the last time I was here; I would have to say ‘no’. The school-based counselling service, which is definitely a part of this in terms of the wider picture, is a fantastic development, for which I have huge praise. We had a debate last year about CAMHS provision going into the young offenders institution attached to Parc prison, and I understand that it is only now that we are in a position where the funding has been somehow agreed. I do not think it has actually started yet; I may be wrong, but if it has, it has taken a very long time to get that provision in place. So, my concerns are as they were last year. All eyes will be on that review. I am sure that they are feeling the pressure of publication, and that is good.

[128] **Helen Mary Jones:** I have a slightly controversial question, which you may not feel able to answer. Given that successive Assembly Governments have told successive health organisations that they must make this a priority, and given that, in fairness, successive Assembly Governments have put resources in, albeit not ring-fenced—and I have a view about that—what do you think accounts for the lack of progress? Is it just that these issues are invisible to the local health deliverers?

10.30 a.m.

[129] **Mr Towler:** To be honest, I no longer understand what the problem is with delivery, and I have really tried. I think that you are right: it is not about political will at Welsh Assembly Government level. I do not think that it is about practitioners, either; they experience massive frustration about not getting people assessed, so that young people are not getting services and support. That frustration inevitably stems from a lack of money and resources—that is anecdotal, but you asked the question. We will not get those assessments done without someone putting in the resource to support someone who may be in crisis, or may be in crisis in a month or two. It all seems to me to come down to cash and who will pay for the service, and that is not equitable—it does not stand up. What I pick up all the time from people in all kinds of services is the continuing level of frustration. So, if it is not about political will, and it is not about practitioners, it has to be about management and allocation of resources.

[130] **Helen Mary Jones:** There is a job there for the vice-chairs of the new local health boards.

[131] **Mr Towler:** Absolutely.

[132] **Helen Mary Jones:** We will move on to question 18 from committee members' papers, looking at the safeguarding issues. You have touched on this a bit, Keith, and I will give you an opportunity to say more if you feel that you need to.

[133] You highlight concerns in the report about the safeguarding of children, stating that the recent consultation on the unification of public health services across Wales is not sufficiently robust in terms of the role of safeguarding in the national public health service in Wales. Can you tell us more about your concerns about the role of health there? Do you have any suggestions for how those ought to be addressed?

[134] **Mr Towler:** I have had a concern anyway about the reorganisation of the LHBs—where do the words 'children' and 'children's services' feature in the thinking about the establishment of these large boards? I do not see them being prioritised, generally. That was a concern.

[135] However, in relation to safeguarding, the Health Inspectorate Wales report was brilliant, and made a huge impact. So, to hear that information sharing was still not happening, and to hear that criminal record bureau checks for staff in health services are not in place, and for all that to appear in the Health Inspectorate Wales report—that is shameful; it is serious stuff. How important is that in relation to safeguarding? I alluded to the baby P case and what we know about information: it is critical. Protecting children and keeping them safe is the No. 1 priority. The health service is a major player in that. I sense that there has been some kind of shift, certainly in what politicians and the media are saying, towards recognising that children's services and front-line social workers are, in the main, doing a good job. However, they are really under the cosh, and the Care and Social Services Inspectorate Wales report also said that we are often looking to children's services as the organisation that will safeguard and protect our children. What was pleasing about the health inspectorate report was that it said that, in fact, health has a massive role to play in this.

[136] So, in the reorganisation of the LHBs, and in thinking about child protection and safeguarding, their practice has to be up to scratch. The NPHS has these designated child protection nurses and doctors who provide specialist advice to the NHS on how they discharge their responsibilities, so my challenge to them—and I said it this morning on the radio—is to prove to me that they are committed to safeguarding and protecting children. That has to be the challenge; it is a significant concern, and one on which I will continue to bang the drum.

[137] **Helen Mary Jones:** Thank you, Keith. We will discuss this later, and I do not know how other members of the committee feel, but this may be something that we will want to raise with Ministers because they have a responsibility for ensuring that that happens. It is not their job to deliver it, but it is their job to ensure that it happens.

[138] **Mr Towler:** Could I briefly add to that? When those reports were coming out, the Welsh Assembly Government—and I think that this was suggested by the WLGA—talked about setting up a safeguarding summit in January. I would welcome that. What a summit needs to do is provide a very honest debate about what we are identifying here, and what we know. We do not need to scope this out any further, and we do not need policy or legislation. A summit needs to focus on practice and outcomes. You might want to consider putting pressure on Ministers to make that happen.

[139] **Helen Mary Jones:** Thank you, Keith, that is helpful. We return now to child poverty, which has been an ongoing concern of the commissioner's office. Chris has the next question.

[140] **Christine Chapman:** Keith, you state that child poverty is possibly the single most important issue facing modern Wales. Within that context, are the child poverty commitments in the 'One Wales' delivery plan providing a sufficiently swift response?

[141] **Mr Towler:** No. Just to reflect on this, we had targets to halve child poverty by 2010, and we will not get anywhere near that. If we are to get anywhere near the 2020 target to eradicate child poverty, knowing that, in Wales, we now top the table in child poverty rates according to the latest research, and that we also have an economic situation to get to grips with, we need to raise our game. This is about the Westminster Government as well as the Welsh Assembly Government, and I have had conversations with Ministers, and I understand the focus around children and young people in Communities First areas. However, I want to flag up again that there are children and young people in poverty in rural areas and in places that lie outside Communities First areas, and that approach will not touch them. If we are to achieve eradication by 2020, we need a broader plan, I would say, but we also need to be absolutely clear what benchmarks we expect to have in place between now and 2020. So, a very clear plan, and a very clear road map are necessary—and we do not have them.

[142] **Christine Chapman:** Following on from that, you also talk about implementation and progress on child poverty as being inadequate, and that must change. In your view, why has there been inadequate implementation and progress on child poverty?

[143] **Mr Towler:** I go back to the point about partnerships. It is right that we talk about it in this way. Partnerships and multiagency working is absolutely critical. I did a media interview where I was asked that very question, and I said that sometimes we are in danger of being paralysed by partnerships; we have so many partnerships in place, and so many meetings going on, with such great intent, that we are paralysed in terms of doing things, because for every £100 that we spend, perhaps £10 will filter down to a child or young person; the rest is absorbed by a co-ordinator that we have put in place, and a reporting mechanism. We are feeding each other's bureaucracy, in a sense. We need to be so much smarter—and it is about will, again, and about pooling of resources and priorities. It is a real challenge for people working in Communities First areas, and thinking about how people use their Cymorth funding, but if you have a list of 50-odd things to do, you do not have a set of priorities—you just have a list. What multiagency working ought to be about is the key people agreeing two or three things that they will crack in the year ahead, in five years' time, and in ten years' time, and focusing on that. I know how difficult the funding position is, but it is about being clear about your spending priorities, and pooling resources to ensure that we can deliver for children living in poverty.

[144] **Christine Chapman:** Just to pick you up on your Communities First comments, you say that our focus is not broad enough, but if it were broader, would there be a danger of diluting what the Government is trying to do?

[145] **Mr Towler:** Every local authority in Wales, and every public body in Wales—sometimes the focus switches to local authorities, but it is about public bodies generally—needs to think about the children and young people in their areas who are living in poverty, and the practical steps that they can take to alleviate that. For some, there will be Communities First initiatives in place, and they will be able to focus on that; but these bodies also need to think about opportunities for children and young people outside Communities First areas. If you are setting a priority to end child poverty, then you have to isolate, within that priority, what you will do for children outside those areas. I do not see it as a dilution, but there is a bit more honesty and transparency and it is making sure that we are thinking about the experiences of children living in rural areas, outside Communities First areas.

10.40 a.m.

[146] It is about things such as the educational attainment of children who grow up in poverty, and thinking about what schools could do to focus resources to improve educational attainment of those children coming from those circumstances. It is about targeting resources; it is not about diluting a plan, but thinking what you can do in a practical sense for those children.

[147] Unless we address this, and unless we are realistic about it, we will continue to have lost generations of children and young people who will never have sufficient skills to take any opportunities that come later as adults. It is the critical time.

[148] **Christine Chapman:** Do you think that the Welsh Government is doing everything in its power to tackle child poverty?

[149] **Mr Towler:** The answer to that is probably that it could do better, but I do not suppose that it or you would expect me to say any different. When it is thinking about what is within its power to do, it needs to think about what support it needs to give, as the Welsh Assembly Government, to ensure that those people who are delivering practical things to children and young people are getting the benefit of that support. It is not enough to put a partnership in place and make it accountable for counting beans; it has to start delivering, looking at what the spend is delivering for children and young people. We have to see the money turning into real action for children and young people. We need less bureaucracy and more focus, and we need to enable people to do their jobs. What I hear from people in the field is that the bureaucracy prevents that, and that has to be a concern.

[150] **Helen Mary Jones:** Absolutely. Eleanor, we have touched a bit on the implementation gap, but I think that we need to pursue that a bit more with Keith.

[151] **Eleanor Burnham:** You talk about the gap between policy and implementation and you have talked about information sharing. There is a big issue here. I have one quick example: there was a mother whose daughter was being racially abused on the street in north Wales; a male, older policeman called the mother and would not tell her what was going on, but wanted the child's mobile phone number. As you say, it is very simple: it is about common sense and a practical approach. Do you agree that that is something that you will be driving along, trying to knock heads together? It might be something very simple, but it amounts to many issues.

[152] **Mr Towler:** Absolutely. When I talk about leadership, that sort of thing is part of what the role of the children's commissioner is about. It is about trying to support people who

are delivering services, but also to challenge them and provide leadership on how we should approach issues for children and young people and how we can practically support them. That is why I am interested in thinking about how we can use that kind of service evaluation work more. If we could target our work on service evaluation, which is about practice with children and young people, as opposed to policy for strategic ways of working with young people, that will help people to think about what the practical blockages are that prevent the sharing of information. I need to ask 'Would it be helpful for the children's commissioner to work with you to examine why this is not happening?'. If the answer to that is 'yes', and I suspect that it would be, there are some real opportunities for us as an office to unpick that and come back with suggestions for how people can improve practice, to remove those blockages. We need to ask those questions. That is the sort of leadership the Office of the Children's Commissioner for Wales can take forward.

[153] **Eleanor Burnham:** Some of the delivery is done through charitable organisations. Do we need to bring them together so that they can pool and share resources, because, quite soon, some of them will be reduced to an unworkable level?

[154] **Mr Towler:** Yes. I have received representations from a number of people in voluntary organisations who were certainly feeling the pinch as a result of the economic climate before public bodies felt it. They were losing contracts and having to ask questions about whether they can maintain and deliver services. There is an onus on the voluntary sector to start thinking carefully about how it can work collaboratively together as a sector. There is some evidence that it is up for that, but it needs to take some responsibility for doing that. I do not think that it needs to or should wait for public bodies to do that for it. It needs to get its act together. I speak as someone who has worked in the voluntary sector for most of my life and who knows what those struggles are like. However, it has to take some responsibility for that. Just as the challenge for public bodies is about pooling resources, in the voluntary sector, you must recognise where your strengths and weaknesses lie as organisations. If another organisation is stronger in a locality or provides a better service, you should back off and concentrate on the areas that you are good at. It takes a lot of trust and confidence for voluntary sector organisations to support each other, but only they can do it.

[155] **Eleanor Burnham:** How does your office systematically monitor whether the recommendations of your previous reports have been implemented?

[156] **Mr Towler:** I have alluded to this. Going back to day one, when Peter Clarke was the commissioner, and using the 'Clywch' report as an example, every recommendation in any report that the children's commissioner publishes features in the annual work programme for the team in the office. Part of that involves monitoring and ongoing reviewing of progress against the recommendations. When school-based counselling services were launched, the final Clywch inquiry recommendation was implemented. In terms of monitoring those recommendations, my office would not let that go until each recommendation was implemented and taken forward. So, it is systematically a part of the policy and service evaluation team's work programme.

[157] It is worth bearing in mind that, every time that we produce a report, that means that we have a work programme commitment that runs on for a bit. So, my staff will say to me, 'It's great that we've published four reports in this last year, but can you just remember that there's a work programme for us that follows from that? So, when you want to do the next piece of work, remember that we will be actively monitoring that'. Quite a bit of our time will be taken up in ensuring that those recommendations are taken forward, maybe sitting on working groups that are addressing them, providing opportunities for people to discuss things, but, ultimately, monitoring every recommendation until it is implemented.

[158] **Helen Mary Jones:** As a committee, we are beginning to face that difficulty, in that

we also want to follow up on all our recommendations and there are only so many hours in the day. Thank you very much for all your answers so far, Keith, and, again, for your report. I have a final question, which might be difficult to answer, because there is probably more than one answer. Your role enables you to make representations to the National Assembly about any matters affecting the rights and welfare of children in Wales. Is there a particular priority issue that you want to highlight to our committee today that affects children and young people and that you would particularly like us to pursue with Ministers in the Welsh Government?

[159] **Mr Towler:** Blimey.

[160] **Helen Mary Jones:** You are talking to me now, Keith. We ask you these kinds of things.

[161] **Mr Towler:** Thank you for that really difficult question. I feel that I am banging the old drum, but it has to be about child poverty again. It is a bit of a cop out as an answer, too, because it is the context within which everything that we are failing on can be explained. There should be some real, practical ways forward on alleviating child poverty, focusing on things that will be achieved next year and will be delivered in five years' time. That is the way to go on this. There should be some real emphasis on—I am looking to you for some support on this—practical measures. There should be no more reviewing of policies and strategies or redesigning or refreshing—whatever the terminology is; let us stop doing that and start focusing on practice and practical things that can make a difference.

[162] **Helen Mary Jones:** That is a helpful answer to a difficult question. We take the point about the context. So many of the other issues that you have highlighted as affecting children are at in the context of poverty, and whereas better-off families may be able to access their own resources around mental health, a poor child would not be able to. It is about those kinds of issues.

[163] Diolch yn fawr i chi gyd.

Thank you all very much.

[164] We will consider as a committee what we will do to pursue some of the issues that you have raised in today's discussion with Ministers. I think that it was Christine who once described us as the dog-with-a-bone committee; once we have our teeth into something, we tend not to let it go.

10.50 a.m.

[165] So, it will be a question of priorities. We will have the debate, of course, in which we will be able to raise issues. We have the Minister for Children, Education, Lifelong Learning and Skills coming to respond, but I think that we may also want to ask some of the other Ministers because, whereas the Minister for Children, Education, Lifelong Learning and Skills has overall responsibility, given what you said about child poverty, for example, we may very well want to have a debate directly with the Minister for Social Justice and Local Government. So, thank you very much.

[166] Diolch yn fawr, fel arfer, i'r holl Aelodau ac i'r staff sy'n cynorthwyo'r pwyllgor. Edrychwn ymlaen at gwrdd pawb ohonoch ymhen pythefnos.

Thank you, as usual, to all Members and to the staff who support and assist the committee. We look forward to meeting you all again in a fortnight's time.

Daeth y cyfarfod i ben am 10.50 a.m.

The meeting ended at 10.50 a.m.

