



**Cynulliad Cenedlaethol Cymru
Cyfarfod ar y Cyd rhwng
y Pwyllgor Addysg a Dysgu Gydol Oes,
y Pwyllgor Iechyd a Gwasanaethau Cymdeithasol,
y Pwyllgor Cyfiawnder Cymdeithasol ac Adfywio a'r
Pwyllgor Cyfle Cyfartal**

**The National Assembly for Wales
Joint Meeting of
the Education and Lifelong Learning Committee,
the Health and Social Services Committee,
the Social Justice and Regeneration Committee and
the Committee on Equality of Opportunity**

**Dydd Llun, 13 Mawrth 2006
Monday, 13 March 2006**

Cynnwys
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The Annual Report of the Children's Commissioner

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 o'r Cynulliad yn bresennol: Peter Black (Cadeirydd), Lorraine Barrett, Christine Chapman, Jane Davidson (y Gweinidog dros Addysg a Dysgu Gydol Oes), William Graham, John Griffiths, Mark Isherwood, Jane Hutt (y Trefnydd), Helen Mary Jones, Laura Anne Jones, Sandy Mewies, Lynne Neagle, Jonathan Morgan, Jenny Randerson, Owen John Thomas, Rhodri Glyn Thomas, Leanne Wood.

Swyddogion yn bresennol: David Middleton, yr Is-adran Strategaeth Plant; Kathryn Potter, Gwasanaethau'r Pwyllgorau ac Ymchwil yr Aelodau.

Eraill yn bresennol: Maria Battle, Comisiynydd Cynorthwyol; Sara Reid, Comisiynydd Cynorthwyol.

Gwasanaeth Pwyllgor: Steve George, Clerc; Ruth Hatton, Dirprwy Glerc.

Assembly Members in attendance: Peter Black (Chair), Lorraine Barrett, Christine Chapman, Jane Davidson (the Minister for Education and Lifelong Learning), William Graham, John Griffiths, Mark Isherwood, Jane Hutt (the Business Minister), Helen Mary Jones, Laura Anne Jones, Sandy Mewies, Lynne Neagle, Jonathan Morgan, Jenny Randerson, Owen John Thomas, Rhodri Glyn Thomas, Leanne Wood.

Officials in attendance: David Middleton, Children's Strategy Division; Kathryn Potter, Members' Research and Committee Service.

Others in attendance: Maria Battle, Assistant Commissioner; Sara Reid, Assistant Commissioner.

Committee Service: Steve George, Clerc; Ruth Hatton, Deputy Clerc.

*Dechreuodd y cyfarfod am 2.10 p.m.
The meeting began at 2.10 p.m.*

Cyflwyniad, Ymddiheuriadau, Dirprwyon a Datgan Buddiannau Introduction, Apologies, Substitutions and Declarations of Interest

[1] **Peter Black:** Good afternoon, everyone. Apologies for the delay. Unfortunately traffic problems have delayed Maria Battle. She is on her way and will be with us shortly. So, we will make a start, but I will change the order in which we were going to do things so that Sara can deal with the section that she was going to deal with until Maria gets here.

[2] I start with some housekeeping announcements. In an emergency, ushers will indicate the nearest safe exit. Headsets are available for translation and amplification and I ask everyone to switch off their mobiles, BlackBerrys, and any other electronic devices, because they will interfere with the equipment.

[3] I have received apologies from Mick Bates, Janice Gregory, Edwina Hart, Irene James, Huw Lewis, Janet Ryder, Karen Sinclair and Gwenda Thomas. Are there any other apologies that I should know about? I see that there are none. Lorraine Barrett is substituting for Huw Lewis on the Social Justice and Regeneration Committee, which means that she becomes part of the quorum for that committee. As this is a joint meeting of four committees, all four need to retain their quorum throughout. So, please do not go anywhere, unless you know that at least three other members of your committee are here. It is important that we manage that. I have also invited Jane Hutt because of her responsibilities, although she is not a member of any of those committees. Jane will be taking part in the meeting, so I welcome

her.

[4] **William Graham:** Are you saying that we cannot leave?

[5] **Peter Black:** Yes. If any of the committees lose their quorum, we will have to suspend the meeting. I will try to get the meeting over with as quickly as possible.

[6] **William Graham:** Please do.

[7] **Peter Black:** I will try to finish by 4 p.m.. I should also inform you that the translation will be on channel 1, if you are going to use that.

[8] I now invite Members to make any declarations of interest under Standing Order No. 4.6. I see that there are none.

2.13 p.m.

Adroddiad Blynyddol y Comisiynydd Plant The Annual Report of the Children's Commissioner

[9] **Peter Black:** This is the second time that we have held a joint meeting of this type to deal with the children's commissioner's report. As I said, this can be quite complicated, but, hopefully, we will be okay. I also wanted to note at the beginning that Peter Clarke has had to tender his apologies due to sickness. We wish him well for a speedy recovery. Sara Reid and Maria Battle will be here to answer as many questions as they can on the report, as we go through it. I will start by asking Sara to make an introduction of around 10 minutes. We will then go through each section of the report and deal with questions and any issues on each section of the report.

[10] **Ms Reid:** I will give a quick overview of the report, which will probably be shorter than 10 minutes. Maria has something prepared on each section, so I assume that, as you go through the relevant sections as a committee, there may be an opportunity for her to make the points that she wanted to make.

[11] This is the fourth annual report prepared by the Children's Commissioner for Wales, Peter Clarke, and the whole team. Common themes have been evident in each of the reports and some of the issues are coming up for the fourth time. As in last year's annual report, the emphasis in this has been very much on what Peter sees as his vision for the remainder of his period of tenure, namely ensuring the development of the advice and support service as a guidance service for children and young people, and increasing the extent and meaningfulness of the involvement of Wales's children and young people in the ongoing work programme, the development of future priorities and prioritisation within the issues that emerge through all aspects of our work.

[12] The report deals with the different elements of our work and it is designed as something that is quite accessible to anyone, including children and young people, who might be interested. We are also required to produce child and young person friendly versions of the report. We do that not just through the printed medium, but by preparing presentations, workshops and going out and about to make sure that some of the young people who would not normally pick up written material of this kind are able to access the information and the principles behind it. Promoting the UN convention is not just about talking about its existence and listing the articles. A lot of the work of the entire team is centred around ensuring that it is made a reality in the practice within schools and also within local projects.

[13] The issues covered in the report include keeping children and young people at the heart of what we do, how that actually happens from a practical point of view, and where the issues come from that we have also asked children and young people to prioritise during the year that is just coming to an end now. It is quite interesting that this report covers the period up to 31 March 2005. We can update you on a lot of the information about our current and future work during the course of this meeting.

[14] Among the things that were undertaken with the establishment of advisory groups around the Colwyn Bay and Swansea offices, is the setting up of an ambassadors pilot scheme, which is now being evaluated, and looking at how we will take that forward. During the year in question, many of the statutory powers of the commissioner were used in relation to reviewing systems and procedures for making children's voices heard within local education authorities. That report was published under the title 'Children Don't Complain'. This was very much a follow-on review using a similar methodology to 'Telling Concerns', which was published two years previously. Many of the recommendations echoed similar messages.

[15] One of the not inconsiderable tasks that we have to fulfil following the publication of the report is the promotion and monitoring of those recommendations. Work has been ongoing with 'Telling Concerns', 'Children Don't Complain' and the 'Clywch' report. I am sure that when Maria joins us, she will be able to update you on progress in terms of the implementation of those very important recommendations.

[16] The development of the advice and assistance service during the year was seen as a priority. In a significant change from our practice previously, we were able to recruit a dedicated team of advice and support workers during the current financial year. I am sure that Maria will talk more extensively about that. Do you want to take over now, Maria, or do you want a few moments?

[17] **Ms Battle:** I would like to apologise. I did leave Swansea around one hour and 48 minutes ago. There was one traffic jam. I thought that I would be clever by trying another way but that was the biggest mistake that I have ever made. Therefore, many apologies.

[18] I am sure that Sara has gone into the report. Basically, we were just going to summarise some of the issues that are in there, and then take your questions. Sara will talk in detail about participation and bullying; my responsibility has mainly been for the advice and assistance service. The service has developed greatly over the last year and, as you can see in the report, the main cases are social services, child protection and education. We also have quite a number of health cases. I can go into more detail about those later.

[19] I am really pleased that we have the dedicated support team. It has made a lot of difference and it means that, in the forthcoming year, we can really take this work forward to those children who need us most because we now have a team that can get out there and let them know that we exist.

[20] We have also managed to recruit a volunteer co-ordinator who will recruit volunteers who will take the simpler cases, launch the freephone line for children and allow us to deal with the more complex cases.

2.20 p.m.

[21] This year, as many of you know, we have assisted with the development of policy on a number of issues, including safeguarding vulnerable children, domestic abuse, the asylum inclusion policy and so on. We have also launched the 'Children Don't Complain' report, which highlighted the fact that the culture needs to move forward in the field of education

with regard to complaints, whistleblowing and advocacy procedures for children. It builds on the review that we did on local authority services. One of the main recommendations in that report was a one-stop shop. As one director of education said, which is why the report was given its title, children do not complain, the adults do. The report also recommended that there should be a simpler way for children to complain, advocacy services to enable them to complain, and a whistleblowing review. On a monthly basis, at least, we still receive calls from people in education—professionals, including headteachers, teachers and governors—asking for our help, and they are not aware of the protection available to them, if they are whistleblowers.

[22] If I go back to last year, Peter highlighted poverty as a key issue. He genuinely welcomes the strategy for tackling child poverty, but he is frustrated by the fact that, a full year on, we are still waiting for the action plan and the details of the funding.

[23] On child and adolescent mental health services, professionals who are working in the service and the many children who come to us who need CAMHS and learning disability services, are really concerned about the lack of provision in Wales. They are also concerned that we are sending some of the neediest children out of Wales and about what is happening to them and who is checking up on them when they are away. We are so concerned that it is probable that we will undertake a review of CAMHS and learning disability services, to try to pull together the problems and possible solutions from the experts, the parents and the children.

[24] Peter also welcomes the parenting action plan that came about when he highlighted the case of one parent who had come to us. As you can imagine, many of the parents who come to us are at the end of their tether. They are really desperate, as you must find in your constituencies, so we very much welcome the parenting action plan and we will monitor its implementation.

[25] On the Clywch inquiry, we have been monitoring the implementation of the recommendations by the Welsh Assembly Government, the local authorities, the media and the Welsh Joint Education Committee. In the main, we are very pleased with the media's response and with that of the WJEC. We also welcome the development of the independent investigation service and the independent governors. We feel that that is in the spirit of the recommendations and we will be monitoring how it happens in practice because if it does not work, we will be picking up the cases. Things have happened a little slower than we would have hoped, but they are moving along in every area. Some of the delays in the local authorities derive from waiting for national guidance, but, in the main, there have been many positive responses and changes.

[26] In this year's annual report, as you can see, one of the key issues that Peter raises is respect. We have dealt with a number of children who are subject to anti-social behaviour orders, more in north Wales than anywhere else. He is extremely disappointed about the independent advocacy service. He is concerned that we should have a central advocacy provision in Wales for all children, not only those who looked after, but for all who need advocacy services. Those services need to be consistent, quality controlled and properly funded and, if possible, independent from the authority within which the advocacy services are provided.

[27] He welcomes the national service framework and, again, he will monitor the allocation of adequate funding. It is probable that we will undertake a joint review with the Wales Audit Office and Health Inspectorate Wales. In the report, he has also highlighted the issue of school nurses and he is looking for a commitment to the provision of school nurses to help to improve the physical and emotional health of children.

[28] Peter also highlights internet safety, which we are all concerned about. He will be talking to the Welsh Assembly Government and the Qualifications, Curriculum and Assessment Authority for Wales to help children to protect themselves by teaching them how to keep themselves safe.

[29] In the next year, I think that the main planks that we are looking at, now that we have been able to recruit more staff—we have 30 staff, which is the most staff that we have ever had since the beginning, and some very experienced people have joined us, and we are very pleased about that—are about consolidation and development, and using the staff that we have to reach out to the children in the two main branches, which is the participation work, with them participating in our work and advising us on our priorities, and also, with some of the reviews that we will be doing and the advice and assistance work, which changes the lives of individual children and highlights for us what needs to be done on the policy level. Sara, would you like to comment on participation and bullying?

[30] **Ms Reid:** In terms of the involvement of children and young people, which, I think, we will come to in more detail later, the bullying review was really the first example of a commissioner's project, which we announced in response to the huge number of young people and children who were raising concerns about bullying with us. That was not necessarily because they personally were being bullied, but they did appreciate the impact that it has on the school environment, the life in their communities, and even on families. They saw it as being a real concern.

[31] We have undertaken some questionnaire and survey work, and we are now at a point at which we can analyse that. That was really to establish awareness of school anti-bullying policies. The scope of the review has been tailored to fit in with work conducted by the Welsh Assembly Government and Estyn, with consideration, as well, of the priorities of some of the non-governmental organisations that also work in this field. So, in this review, with phase 2, which will, hopefully, kick off in the next few weeks, we will be looking at the information that is not accessible from writing letters and getting copies of policies; that is, more qualitative information about what children and young people feel works, what they see as having been the barriers to effective implementation of anti-bullying initiatives, and what they feel to be the successes, as well. That is something that we will be very active on in the next financial year.

[32] **Ms Battle:** The other unusual thing that has happened in the last year is, obviously, the appointment of the other commissioners in the UK—the English commissioner, the Scottish commissioner and the Northern Ireland commissioner, and the ombudswoman for southern Ireland. We have been working very closely with the other commissioners. We meet regularly and we have lobbied the Home Office jointly in respect of asylum and immigration issues for children in all our countries. We have also been exploring how we can work together on those issues that impact on all children, and how we work through the bit of the minefield of the different powers.

[33] During that year, Peter was the chair of the European ombudsperson's group, which put together some of the practice, procedures and the experiences in Europe. I found it quite interesting that the major casework was in the field of education in most European countries, so it was not just in Wales.

[34] That is a very brief summary, Chair, of the annual report and the work that we have been doing.

[35] **Peter Black:** Thank you very much. Obviously, you have raised many issues, all of which are in the report. I propose to take one section at a time, but not necessarily in the order that they appear in the book. We can ask questions about those issues as we go along.

[36] I am pleased that a number of Ministers are present, because it is important that, as well as asking questions of the children's commissioner, Members may want to ask about some of the subjects and issues raised in the report and try to get some updates on them in accordance with the concerns expressed in the report.

[37] Let us start with section 3, from page 19 to 28. This covers the local education authorities' review, bullying, good practice and providing advice and assistance. It also covers 'Clywch', of course. There are several facts and figures in there, as well as a section on non-devolved issues and investigative reviews. I will start the questioning. When the offices of the other children's commissioners, particularly the English commissioner, were created, there was a lot of concern about the impact on your work as children's commissioner. How has that worked out? Are you finding that the problems that we anticipated would happen are there, or do you think that the joint working tends to overcome that?

2.30 p.m.

[38] **Ms Battle:** I think that the joint working is working well. To be fair to the English commissioner, he was the last one in post, and he has been very sensitive about everyone else's experience. We have raised the issue that has caused us most concern. For example, if there was an examination similar to 'Clywch' in respect of a non-devolved matter such as youth justice, thereby affecting, for example, the children in HMP Parc, as the law stands, the English commissioner would undertake that review. So, we have raised our concerns with the Wales Office that we feel that there should be the ability for the English commissioner to delegate his power to us in the event of a public inquiry being held in Wales. The response was that that was contrary to the devolution agreement, so we are still lobbying. We have received a lot of support from Welsh MPs to continue in that lobbying. That is a future issue really but, currently, we are working well together. As I say, there is a lot of sensitivity involved, and the English commissioner is trying very hard to go slowly and listen to the other commissioners.

[39] **Jonathan Morgan:** May I first deal with some of the statistics in the report, in particular the level of contact that you have had with children and young people. You say on page 25 that more than 45 inquiries related to child protection. How does that compare with previous years in relation to other statistical analysis?

[40] You have been able to provide some information as to the age groups of children who have been in contact, but are you able to subdivide the second table in terms of the issue that are raised into the average ages of the people who have raised those issues? For example, out of the 46 or so people who raised issues about child protection, what is the breakdown of the ages for that category? If you do not have the figures with you, it would be quite useful if you could send something to us. In terms of those child protection cases, do you have any information to suggest how many of the cases have already been raised with other statutory bodies? There is a comment in the report about a degree of criticism of other statutory bodies, in that young people did not feel that they had dealt with their concerns particularly well, or that they were suspicious of other bodies? How many cases have been dealt with by AN Other?

[41] **Ms Battle:** I do not have the figures with me on the breakdown of the child protection cases, but I do manage that service, so my understanding is that the majority of the child protection cases involve children where local authorities and social services are already involved. They tend to be the cases where children are on the child protection register or are children in need, but predominantly on the child protection register, and there are worried individuals, be they neighbours or grandparents, who feel that the children are still at risk, despite the children being on the child protection register. We intervene in those cases by

trying to meet the children. With all the advice and support cases, although the majority of the referrals in the statistics come from parents, we try to at least speak to or meet the children, and listen to them. So, we are not involved in some sort of argument between parents and local authorities—we try to listen to the children first. With those cases, we will meet the child and those people who are concerned. If we think that there is a current child protection issue, we will refer it to the local authority immediately and ask it to investigate, in the normal course of events, through working with the statutory bodies. Otherwise, we will ask to meet the authority in order to go through all the concerns after we have done an investigation, and ask it to reassess the risk and put in extra services.

[42] To answer your question about the breakdown of the children who come to us with different problems, we can do that. We had a very crude database in our first four years. We received funding this year and we have managed to develop a brand new database based on our experience of what we want out of our figures, and we can feed that in. That has now been designed. We had a consultant in and he is just putting together the training package, so, together with the consultant, the training package and the new team, we will hopefully be able to produce the breakdown quickly. We can do that breakdown that you have just asked for, but it will take a bit longer because, as I say, it was a very crude figure.

[43] **John Griffiths:** Page 24 gives a breakdown of initial contact—how it was made in terms of accessing advice and assistance. The figure for children or young persons is 8.7 per cent. Does that figure cause you any concern? In terms of your making connections with children and younger people in Wales and those children and young people knowing about the children's commissioner and the children's commissioner's office and how to access advice and assistance on what is available, it seems a little on the low side.

[44] I have another question, Chair. Should I ask it now?

[45] **Peter Black:** If you want to come back after the answer, that will be fine.

[46] **Ms Battle:** I totally agree. In our first year, a lot more children contacted us, percentage wise, compared with other people. I am concerned about that. Now that I have the dedicated team, one of the things that we are going to do to address that is to launch a freephone number for children. At the moment, it is the ordinary office number. As we are dealing with individual cases and I am going into foster homes or into the prison or meeting children, we are finding that they still do not know that we exist and that really worries me. So, we have gone back to 'Lost in Care' and, with the new team, we have put together a communication strategy. We are looking for children who are lost in care and lost in education, for example, those who are at risk of exclusion or are excluded, and children who are in prison—in Hillside Secure Unit and secure accommodation. We have already started that work. We have a dedicated team working on it and we are now producing publicity material just for the advice and assistance service, targeted at those children who I feel need us the most and who may not know that we exist.

[47] At the moment, children are being advocated for by responsible adults and that is broken down in the report. It includes their parents, professional people, and advocates and so on. At the very least, we are hoping that the children that we are targeting will hear about us, but that is not good enough either, because I know that, unless there is an adult with a face that they can trust, those groups of children are not going to speak up. An example is a case that I had during the summer, when I went into a foster home on several occasions to meet with a little boy. There were four other foster children in the home and, because they kept seeing me, after a number of weeks, one of them passed me a secret note, which was about five or six pages long—he had been there for four or five years—and was about all the things that he was going through in that foster placement and it was saying, 'Please help me', but he was frightened. So, we met him confidentially; no-one knew and we listened. He broke down.

We met him again and, by the second time, he was ready to speak. So, then we called a meeting. I told him that it was with the big boss and it was the head of social services, the head of fostering services and the social worker, and that enabled him to speak out. He has left that foster placement, as has one of the other children. He is very happy now and we monitor him.

[48] That really brought home to me that those children who are the hardest to reach have to see our faces before they are going to trust us. So, thank goodness we have a new team. It is the first team that I have had in four years of advice and assistance work that is as dedicated. It includes a very experienced social worker, a children's panel lawyer, a chap from the army who has resigned his commission and who has dealt with children who have been in the prison and youth justice systems, and a police officer. We now have our strategy for the next year, so we are going to try to get them to see faces and to see us as much as we can.

[49] **Ms Reid:** It is also important to remember that this aspect of our work is just one part of it, and the recommendations that are referred to here from 'Telling Concerns' and 'Children Don't Complain' about improving capacity locally, improving advocacy, counselling, and places where children and young people can turn, whatever environment they are in, are also very important.

2.40 p.m.

[50] On awareness, we have quite a small budget, when you think of what is needed to raise awareness. Therefore, one thing that we are keen to encourage, in partnership with other children's organisations, is that we make sure that the young people with whom they are in contact are aware. We cannot do this on our own. There are many opportunities that the Welsh Assembly Government needs to take in future to ensure awareness not just of the United Nations convention on the rights of the child and 'Extending Entitlement' but also of the structures that are in place to enable children and young people, in their locality, and nationally in Wales, to be able to turn to someone who can help them with whatever concerns they may have.

[51] **Ms Battle:** I will pick up on that. In the last week, we have worked closely with the police service. Nationally, they have 70 police officers who go to every school, once a term, I understand, for one lesson, to speak to pupils ranging from quite young to those at big school. We met those officers last week, and we are working with them so that they incorporate a reference to us in their education programme. So, at least children will hear about us through that medium.

[52] If you recall, one recommendation in the 'Clywch' report was that every school should tell, teach, or somehow bring to children's awareness the existence of the NSPCC, the Children's Commissioner for Wales, ChildLine, and social services. That has not happened yet, because it is the governors' responsibility. So, one part of our communications strategy is to try to reach the governors, so that they will also do this in schools. However, as Sara says, we all have a responsibility to tell people what organisations exist to safeguard children in Wales.

[53] **Peter Black:** Did you have a follow-up question, John?

[54] **John Griffiths:** It is on a different matter, but in the same section. It is on page 27 of the report—the final paragraph. There is a great need for a more progressive, enlightened and effective approach to youth offending. I am glad that the children's commissioner's office has got involved in this initiative in south Wales. Given that it is a non-devolved issue, where has the initiative come from for your involvement? Could you say a little more about what you

will actually do?

[55] **Ms Battle:** This came about following a meeting with Barbara Wilding and the deputy chief constable, Peter Clarke and me. Both chiefs felt that the strategies that are in place are progressive and innovative, but the police still come across kids on the ground that the strategies are not affecting and not reaching. We are considering whether there is anything that we could do with the resources that we both have to try to come together and assist.

[56] I agree that we need to take a more innovative approach to children and youth justice. We have been going into HMP Parc, and have listened to what the kids have said. We have met professionals, and so on. They have said quite simple things. Thirty years ago, I was in that system, working with children in the youth justice system in a residential setting, and the solutions are still the same as they were then.

[57] So, we got together and tried to draw up a practice guide, because one of our weaknesses is that we do not work together effectively. There are many initiatives—action-wise and on strategy—but we need to work together. So, we have got together and drawn up a practice guide, which is almost complete. It is a very simple how-to guide—A, B, C and D. When you set up your multi-agency work, and when you work together in an area, it sets out how to help to make it happen. We have looked at it in small cluster areas. The school cluster group was one possible way forward. It is a to-do guide; it is not full of big words. It refers to all the strategies, because many people on the ground do not know which strategies and funding streams exist, so those are in the appendices. It is a practice guide, and we hope that it will help those at the coalface to access the things that the Government here is producing. That is how we are working together. The police have been wonderful over the past year or so. They really want to work with us, even though policing is not a devolved matter.

[58] **Helen Mary Jones:** I apologise for arriving slightly late. We picked up on the point about the small percentage of children, and in the report you said emphatically that you try to meet the children. Can you tell us under what circumstances you might not meet or communicate with the children?

[59] In the report, you also mentioned that it may be appropriate for an adult to act as an advocate for very young children or for those with certain communication needs. My belief is that children who have difficulty in communicating may need more protection from the adults around them than almost any others. What have you been able to do to ensure that your casework team receives training, for example, in communicating with children who have learning disabilities? From the sound of it, you may have that covered, but I think that it is very important.

[60] The other question that I wanted to ask relates to helplines and freephone numbers. We have ChildLine and the NSPCC, which are coming to work together. To play devil's advocate, do we need another freephone number? Given that there is also a reference to one-stop shops, would it not be better to have a more effective way of co-ordinating? I may be getting hold of the wrong end of the stick.

[61] My final question is about the balance between individual casework, which can have a huge effect on an individual child and can transform their lives, and the policy work. When you have made recommendations, do you come back to push the Welsh Assembly Government and local authorities forward—or whatever it is that you need to do—to make sure that those recommendations are dealt with, as they can have a huge effect on a far greater number of children? To what extent do children and young people make that decision with you in the young people's group that you work with? Who decides and how do you make that decision?

[62] **Ms Battle:** I will pick up on the freephone question first. We have had the same worries about confusing children with so many numbers out there and so on. We have surveyed children and young people about our freephone line and whether they want it for general things, such as participation, as well as for advice and support. They have drawn up a list of 15 tips on how to answer the phone. We asked for 10, but they thought that the 15 were so important that we had to stick with the 15, which is great.

[63] We also visited the National Youth Advocacy Service project in Birmingham, which we thought was excellent. It has set up one freephone number in Birmingham for everything. The children have a credit card, and they can get discount in shops with it. It is not stigmatising, because you can use the number on the card to ask all manner of questions, such as when the youth club is open or what time the local football match is on, or to say that you are in danger and need help. So, it is for everything. It costs £1 million a year, and is run by NYAS, and I understand that it is staffed by people who are studying to be social workers and so on. Birmingham has the same number of children as we have in Wales, so we thought that that was an excellent way forward. As well as researching our own freephone number at the moment—how much it will cost and what to do about it—we are also looking at whether or not we could get some corporate funding, and looking at having one freephone number for every child in Wales.

[64] The police are also looking at developing a freephone number, and they have asked us to meet with them, and we have had some meetings. So, we will be launching something, but I cannot tell you what it will be. My preference would be the one freephone number for every child in Wales, with the non-stigmatising credit card, to ask about everything. We are exploring that. Peter Clarke and Rhian went up to Birmingham. Now that I have a team, and we have the remit to get this freephone up and running, I want to know more about the Birmingham model. I think that some corporate sponsors out there might be interested. I only got the team in December, but that is on the list.

[65] On the issue of speaking with children, it is generally babies. Two members of the team are very experienced in working with children with learning disabilities. This is, again, very new. Next week, we will be recruiting a head of corporate services, who will be charged with undertaking the training. So, at that time, we will be looking at more training on communication with children. However, generally it is more in terms of children who are babies than anything else.

2.50 p.m.

[66] The other question was on balance, and I totally agree. The individual casework is important in its own right and it is important to feed it into policy, as is true of the advisory group and all the other participation work. We had two major events last year, and the children involved voted on five main issues. Those five main issues came about from pooling together all our experience in the office. The two topics that came up most were education and leisure, so, when we meet shortly to do our corporate plan, we will incorporate that within it, working with our advisory groups to see how we can follow this up in the policy work that we undertake.

[67] **Leanne Wood:** I wanted to pick up on the non-devolved issues and the work that you do with the other children's commissioners, and I wanted to ask, first of all, whether there have been any child protection cases under section 9 of the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 in Wales? Have you done any joint work on a smacking ban, anything on the anti-social behaviour order and respect agenda, particularly in relation to children with learning difficulties?

[68] The final point is for the Chair. If there is a lobby and some kind of movement

building up to try to get some kind of delegation of powers from the other commissioners to the Welsh commissioner in cases where a non-devolved matter is the subject of a public inquiry, could we write as a joint committee requesting that, and supporting the commissioner's office's request for that?

[69] **Peter Black:** We will come back to that at the end, I think.

[70] **Ms Battle:** As far as we are aware, there have been no cases under section 9. Section 9 was piloted in three areas of England. As far as I am aware, it has not been rolled out to Wales, but Jane will probably know more. We have not been told that it has been. We have raised the issue of section 9 with the Home Office. It is inhumane and it is horrendous for the children involved and we do not want to see it rolled out in Wales at all. We have raised the fact that the welfare principle is not incorporated in immigration law. We have raised the issues of dawn raids and their impact on children who are in Wales, with not being able to say goodbye to their friends and so on, and also on children who are taken away. If children have to be taken out of the country, we have raised the issue that male officers should not go into houses in the middle of the night to take young girls and so on, so there needs to be more sensitivity around male/female and religious issues. We have raised these issues with both the Minister in Wales and in London.

[71] We have raised advocacy as well, the Refugee Council provides advocacy, particularly for unaccompanied children, in England, but rarely does so in Wales. So, we have been assisting Save the Children, the Welsh Refugee Council and Children in Wales to put together a bid for a dedicated advocacy service for child asylum seekers in Wales. We have dealt with some individual cases, which have been, in my experience, absolutely and utterly appalling. Some of the cases that we deal with are shocking and heartbreaking, and we raised one only last week with the Home Secretary.

[72] I have been a part-member of the refugee inclusion group and we have made representations there, particularly concerning having one person who can give advice to professionals. Although we have four dispersal areas in Wales, we have children elsewhere. The law is so fast-changing, and so, although immigration services may be told to do things a certain way, that does not happen in practice. We have raised those issues as well.

[73] I understand that the asylum inclusion policy will be released shortly, which has taken into account the impact on children, child protection, education and so on. We went to meet the Home Secretary with the other commissioners, and raised all these issues; we have raised issues separately as well. We have been offered another meeting, just us, and so we will be going up to London to meet him to talk about these issues. We keep trying to advocate in the individual cases before the children get taken away.

[74] The other issue that we have found, which should not be happening, is that children do not have to go all the way to Croydon now to be screened, spend all day there, come back, go back again and then come back. However, that is not actually happening in practice, so we are raising that issue.

[75] As you know, there are a lot of concerns about anti-social behaviour orders and naming and shaming. We have not had many cases—I think that we have had four cases in all—but they have a great impact on children. I am glad to say that, at least in south Wales, they are seen as the last resort. They are not welcomed in Wales, where it is not so much of a numbers game; they are seen as a sign of failure as opposed to a sign of success. We are working with the police to look at different options. As you know, we have raised issues about children with learning disabilities, in particular, and those on the autistic spectrum.

[76] We met with the British Institute for Brain Injured Children last week, which held the

conference that you and I attended recently. It did a training day for my advice and support team, because we get a lot of cases involving children who have learning disabilities. It teaches families how to cope and teaches children how to deal with it. So, we are trying to arrange for BIBIC to train those who issue ASBOs to give them more awareness of children with learning disabilities and the inappropriateness of issuing ASBOs to them. We are trying to take that forward from the conference that we attended.

[77] Can you answer the question about smacking, Sara?

[78] **Ms Reid:** As an office, we have been working for a number of years at a UK level in connection with the law reform for equal protection from assault, as part of the Children are Unbeatable! alliance campaign and the global initiative to end corporal punishment. In mid February, the four commissioners issued the second of their joint statements—the first one was on asylum-seeking children and young people—on physical punishment. It is taking quite a while, in the same way as when Peter first took up his post, to get everything in place with the Children’s Commissioner for England. This is sort of the first step, so there has not been much joint working, but there is agreement on what the principles behind this issue are, and the four commissioners were joint signatories to a letter to Ruth Kelly asking for further information. In the future, it is something that we will be using to give a stronger voice at a UK level.

[79] **Peter Black:** Jane, did you want to come in on the asylum seekers issue?

[80] **Jane Hutt:** Thank you, Maria and Sara, for your introduction and presentation. I have two points. The Wales refugee inclusion strategy is imminent, and you know that I was involved in co-ordinating the response from the children’s perspective, which involved meeting with health and social care and education agencies, and with children and young people. That will now emerge. You have played an observer role, I believe, Maria, in relation to that.

[81] As I said in response to questions from Leanne, I think, during my last questions session, we are trying to safeguard refugee and asylum-seeking children in Wales. Only two weeks ago, I met with some young people from the Save the Children fund; I regularly meet the fund’s representatives for an update on their experiences.

[82] I will touch on the point about physical punishment. I know that Jane is taking the lead on that, but I raised this with the Minister for Children, Young People and Families in England, Beverly Hughes, when I met her recently. I told her about the work that we are doing in Wales. It was also very firmly on the agenda of the chair of the United Nations Committee on the Rights of the Child. Quite a few people were there. He raised this as one of the key global issue in terms of reporting to the UN committee, which we will all be engaged with in the coming months.

[83] **Peter Black:** On the issue of whether the committee can actually lobby, we have effectively come together as four joint committees. If there is unanimous support for a particular issue, we can do that. However, if there is dissent and we have to have a vote, each of the four committees would have to vote separately.

3.00 p.m.

[84] **Helen Mary Jones:** Can we vote on both of our committees?

[85] **Peter Black:** You can vote on both of them. If you want to press this, we can do so, but I think that Plenary has also taken a view on this at some stage.

[86] **Leanne Wood:** Chair, can you do a quick check to see if there is any dissent, because if there is not, it is fairly easy.

[87] **Peter Black:** Do you want to outline what you want us to do?

[88] **Leanne Wood:** I want us to write to support the Children's Commissioner for Wales's request for delegated powers from the commissioner in England on non-devolved matters under circumstances of a public inquiry.

[89] **Peter Black:** Is there any dissent to that at all? I see that there is not. In that case, I can write that letter on behalf of the four committees. In fact, we may ask the four committee Chairs to sign it as well, if that is okay.

[90] **Leanne Wood:** Thank you.

[91] **Peter Black:** Lorraine is next.

[92] **Lorraine Barrett:** My point relates to the point that Leanne raised with you, Maria. You mentioned autism and the autistic spectrum. My question was not so much about when you get to the ASBO stage, but with regard to your work with the police and training for the way they deal with situations. As an example—I suppose we have all had them—a 16-year-old young man with autism who lives in Cardiff was out with his mates and one thing led to another and the police brought him home. His mother said, 'Do not try to get him out of the car; let him come to you'. However, the police got him out of the car and, because they approached him in that threatening way, he reacted and they ended up arresting him. He spent a night in the cells, which is totally inappropriate because that is not the sort of young man he is—it is about behavioural problems. I wondered whether you discussed things like that with the police as to how they handle those sorts of situations before it ever gets to an ASBO situation.

[93] **Ms Battle:** We have discussed it with South Wales Police recently, in the last two weeks, and they are open to training for all their officers. We are also about to discuss it in north Wales; one of my new team is based up there and she is the connection with the police there. We must do the same with the police in Gwent and in Dyfed Powys. However, South Wales Police are very open to the training and we had similar training ourselves last week. It is about things that you would not realise and simple techniques to deal with it, to stop the sensory stuff piling in—

[94] **Lorraine Barrett:** Sorry, it was actually Asperger's in this particular case, but it applies to all conditions.

[95] **Ms Battle:** Yes. The answer is 'yes' for South Wales Police and now we have to go to the other police forces to see if they would be open to this, as well as local authorities because they also have the power to impose ASBOs. We are hoping to take that forward in the next year.

[96] **Sandy Mewies:** I was also going to ask about autism in particular because I have been heavily involved with the cards with North Wales Police and Autism Cymru. You probably know that anyone with an autism spectrum disorder can carry these cards now and present them, if someone in authority does stop them, to any of the emergency services. The good thing in north Wales is that the police and the emergency services have taken on board the training—it is all very well handing cards out, but people need to know what they mean. The point that I was going to make is that I think that it is an excellent scheme and they are very keen to roll it out throughout Wales. However, it is not just the police and the emergency services; there are other people who need to know that people with autism spectrum disorder

can react to situations differently to other people, and they should be aware of that. I am talking about within education as well because not everyone is an expert on autism. Do you have any plans to look at the training that is going on—I know it is happening in north Wales—in other parts of Wales? What could the children’s commissioner do to ensure that this sort of awareness-raising happens within all those organisations that would benefit from it, including the police, local authorities, people in education and people in voluntary organisations? They are the people who meet these young people and may not always be aware of why they are reacting to them in the way that they are.

[97] **Ms Battle:** I wholeheartedly agree with everything that you said there. We are dealing, like you are, with individual cases where we represent the child. It can involve things as simple as getting their benefits for them, arranging their accommodation or getting them to speak with their social worker.

[98] We picked up a young man on the beach who was sleeping rough. He was homeless and penniless. Although he was being looked after by a youth offending team, he was not subject to an ASBO. He was a child in need, but because of his behaviour, people were unable to deal with him. One member of my staff, who was very experienced in dealing with people with Asperger’s syndrome and autistic spectrum disorders, dealt with him and was able to get him signed on for benefits. She managed to get him through that process without his losing his temper, and she got him into accommodation over the Christmas period by liaising with the relevant people.

[99] We try to deal with cases one by one. I totally agree with your points. I am hoping that we will be a catalyst. Education about this during teacher training is very important because it is really difficult when a child presents in such a way. They are at a greater risk of being excluded than other children. We met with BIBIC last week. Two members of the new team are charged with looking at learning disabilities, autism and so on. We will take that forward.

[100] There was a young man, a solicitor, at the conference that we attended who said that the first thing is training. Everyone who deals with children who suffer from these disorders must be trained to help them to reach their full potential and not to demonise them.

[101] **Christine Chapman:** On the issue of physical punishment, to what extent is the Welsh commission able to support the new English commissioner? In Wales, we are well advanced on the issue. We have managed to persuade the Welsh Assembly Government of the merits of a ban. The Assembly does not have the powers to implement this, but it has voted for a total ban on physical punishment. The issue has also been debated by the people of Wales. The debate has been handled very well, and we have advanced a great deal. However, I do not think that you get the same reaction from England. It is good to know that the new children’s commissioner in England supports this, but I am concerned that he also has to persuade the wider community in England. How much work is being done to support the English commissioner on this, given how much we have done to open up the debate?

[102] **Ms Battle:** It is more difficult in for the English commissioner for two reasons. First, he is very new to the post, so he still has to impose a structure. Secondly, England is a different country. In Wales, we are a lot more open to the issue, politically and in society in general. We are feeding all this through to him, and it is one of the two issues that have been raised so far—the other being asylum. We can do no more than provide him with our experience of what has happened with the Welsh Assembly Government, what has happened here, our policy statements and so on. It is for the five of us to keep issuing press releases.

[103] He is also in a more difficult position because his powers are different from ours and his budget per child is a lot less than ours. Because we are a smaller country and because of

the extent of our powers and the wholehearted cross-party political support for the position on smacking, we can get things done more quickly. It is very early days in the process in England, but we are doing everything that we can to support the commissioner. We communicate frequently—sometimes daily, sometimes every three days or once a week. We share around the five of us any issues that have an impact on everyone.

[104] **Ms Reid:** There is a group of the commissioners and there are groups of communication workers and policy officers. It was very interesting, when the statement on physical punishment was being developed, to see the level at which it was pitched. Perhaps 'level' is the wrong word. There is quite a narrow scope. The Assembly has made a lot more progress on the debate in Wales because we look at parenting issues and issues of children's rights and support as well as public education.

3.10 p.m.

[105] We will have to continue to be supportive but patient, in terms of waiting for the debate in England to catch up. That is unfortunate, but I am pleased that it was one of the first issues on which the commissioners issued a joint statement. As you are well aware, when the Children Bill was being considered, the response at Westminster was not very encouraging. However, I would hope that with his and his team's support, it will be possible to change that.

[106] **Peter Black:** We will now move on to the next section. Lynne and Owen John are first to ask questions.

[107] **Lynne Neagle:** I refer you to the figures in the graph on page 25. As it is shown as a separate item to SEN and bullying, I assume that those are education issues that are not related to those two areas. You also indicated that in your participation event, education was prioritised by children. Can you say a bit more about what kind of trends are emerging in terms of children's concerns about education?

[108] **Ms Battle:** In casework, a lot of it is about the statementing process—the delays, the difficulties, and then, when the statement is complete, accessing the services that that child has a right to. Sometimes those services do not exist in that particular area and sometimes there is a huge waiting list and so on. So, the SEN issues are mainly about that. It is very frustrating and difficult for the child, but also in terms of the emotional stress in the families. We get quite a number of bullying cases, and children raising cases on behalf of other children. However, we also get mistreatment by teachers as well as by other children, which we raise.

[109] We try to intervene in those sorts of cases in a way that will resolve the matter, because the children mainly just want a 'sorry' or for it to stop and for that to be the end of it. It can be seen, in the context of a very busy school, as a minor incident, but it has a huge impact on a particular child, whether it is from a fellow pupil or from someone in authority. We are not a bureaucracy. We will pick up the phone and try to go in and give the child an opportunity to speak, negotiate and mediate and so on. With the bullying cases that involve other children, we go into the school and try to get the child taken seriously and check whether the school has bullying policies and get them implemented, because pieces of paper are not sufficient. We also try to support the schools in different ways or through different organisations that can go in. So, those are the major cases.

[110] I was surprised when we first started by the amount of education cases, but it is natural when you think that the majority of children are in school most of their waking day in term time. So, they are going to encounter problems in that arena. The ability to access counselling would assist many of the children who come to us, and the ability to be listened to. We also try to encourage the school councils and so on in other ways, and we have our

ambassadors scheme. So we have children who are feeding issues from the school to us. In many of the cases, we just go in and help the children to be listened to.

[111] **Ms Reid:** On the ambassadors scheme, which we piloted last year, it is not just about communication with us, but about putting ourselves out of business to an extent and helping to change the culture of the school so that young people are able to resolve and deal with many of the issues. It is often a learning process, not just for them, but for the staff whom they work with, including supervisory and administrative staff as well as teachers. Many of the issues around schools have come up through the communications work—the work of telling children and young people about who we are, what we do, and that they are holders of rights. There are some issues about respect and a feeling that they are not respected in their school system. There is a sense of disillusionment with some of the structures that are there to enable their involvement. They also feel that it is very difficult to get support on issues that are not to do with the curriculum. For example, if they experience personal difficulties or a lot of concerns—issues where access to a school nurse or a counselling service might be helpful—their problems tend to get worse rather than better. Although there may be sympathetic teachers, the school environment is not geared up to deal with the sorts of stresses and strains that make those children less-than-ideal pupils.

[112] **Owen John Thomas:** Gwelaf o'r adroddiad eich bod am ddatblygu strategaeth ar gyfer awtistiaeth, ond nad oes arian ychwanegol wedi ei ddarparu ar gyfer hyn. Beth ydych wedi ei wneud yn ystod y flwyddyn ers ysgrifennu'r adroddiad i roi pwysau ar y Llywodraeth i gael mwy o arian ar ei chyfer? **Owen John Thomas:** I see from your report that you want to develop a strategy for autism, but no additional money has been provided for it. What have you done in the year since this report was drafted to put pressure on the Government for more money for that strategy?

[113] **Peter Black:** The translation is on channel 1, Ms Battle. I can see that you were experiencing difficulties, so I will repeat the question. It was about the need for funding and was asking what pressure you have brought to bear on the Government to try to get funding for that strategy.

[114] **Ms Battle:** We have not put pressure on the Government to fund the autism strategy yet. An issue that we are picking up from the professionals and the families that come to us is that there are difficulties in accessing services depending on where you live in Wales. That is not acceptable. We have raised individual cases, including one last week, about certain professionals leaving Wales and therefore some services not being available. From what I see with the professionals and the children, there is a mishmash of some excellent services and then no services at all, and services that have very long waiting lists or are under threat. There does not seem to be a cohesive overview and we are picking up this issue a lot from the professionals. We have done presentations to the CAMHS network and we have spoken to professionals who are working in the field. Following information from the individual cases that are coming in, with the new team, we are probably going to undertake a review—we have already started the preliminary information gathering. Within that review, we will look at the holistic picture. The professionals know what the solutions are, because they tell us about them—they know, because have been working in the field for so long. We would like to assist with this debate and pull together our experiences in a review.

[115] **Ms Reid:** I will just broaden that out a bit, if I may. We do not have a colleague from our policy and service evaluation team with us today, but I know that that team has been active in the different working groups and networks that it is a member of, in lobbying on this issue. Therefore, we would be happy to provide fuller details in written form.

[116] **Peter Black:** As we have some Ministers here, maybe they can give some details on

what progress we are making on that strategy. The Minister for Health and Social Services is not here, but his deputy is here, as is Jane Hutt, the Minister with responsibility for children.

[117] **The Business Minister (Jane Hutt):** I am happy to respond and, in fact, a meeting was held recently between Irene Allen, an official from Brian Gibbons's department, and Autism Cymru, to receive the latest on the drafts that are going out for consultation. I very much appreciate the points that have been made, but it is vital that we respond to the consultation. The next stage is the consultation on the plan and I understand that Autism Cymru now feels that this is ready for consultation in terms of the concerns that have been expressed. It is very much a case of joint working across the Welsh Assembly Government in terms of delivering on this, but clearly now the point is to have the consultation and I hope that everyone will engage in that.

[118] **The Minister for Education and Lifelong Learning (Jane Davidson):** People on the Education and Lifelong Learning Committee already know, because of our exhaustive investigation into special educational needs, that we took Wales-only powers for the delivery of regional goods and services in relation to special educational needs. That has meant additional Assembly investment in, for example, creating Ysgol Plas Brondyffryn in north Wales, which has provided specific autism places for all the north Wales authorities; in Fairwater school in Cwmbran, which serves authorities in the old Gwent area; and in a new project on an applied behaviour analysis approach to autism, which is operating between Wrexham and Flintshire local authorities, and in one due shortly in the south-west. So, we are starting to move to use that new legislation, which is enabling us to respond far better in a far more coherent way to low-incidence special needs. Autism is only one example, of course, as there is a range of other areas for which similar projects are in place.

3.20 p.m.

[119] **Peter Black:** I want to move on to section 5 and the key and future issues. We will tidy up section 3 first. Does anyone have any other questions on section 3? Jenny, did you want to ask a question on this?

[120] **Jenny Randerson:** No, I have a question on the next section.

[121] **Peter Black:** Okay. Rhodri, do you want to come in on this one, or on section 5?

[122] **Rhodri Glyn Thomas:** I am happy to come in on section 5.

[123] **Peter Black:** Let us move on to section 5 quickly, then, because we have used quite a lot of time on section 3, and section 5 is at the core of this report, in terms of the key issues and also the follow-up on issues that have been raised in previous years. We are talking about respect, independent advocacy services, the national service framework for children and young people and maternity services, school nurses, internet safety, and the implementation of the 'Clywch' recommendations—all those are important issues. Then, of course, there is the follow-up on child poverty, bullying, and children and adolescent mental health services, which have already been mentioned, and support for parents and families and the parenting action plan. Can we have some questions on that? Jenny and Rhodri Glyn wish to speak, so I will invite Jenny to speak first to talk on this point.

[124] **Jenny Randerson:** I have questions on three different issues, but they are really the same question. The first relates to the national service framework and the concern that you express about the lack of funding, and your intention to do a joint review with the Wales Audit Office and Health Inspectorate Wales. What will you do in the meantime about this really important issue, and what discussions have you had with Government and local authorities about funding for that?

[125] The second question is on the children and adolescent mental health services, about which you express concern year after year. We all have to take up the issue of the patchiness of the services throughout Wales and, in fact, their non-existence in so many respects. Can you give us some kind of view as to whether you feel there has been any progress?

[126] The third question relates to school nurses, because, as you say quite clearly, there has not been a commitment in Wales similar to that in England. Have you had discussions with the Government on the issue of school nurses?

[127] **Peter Black:** I think that, as we have had discussions here, you can answer some of these questions, but you may want to raise any issues that you want the Ministers to address and then I will bring them in.

[128] **Ms Battle:** I would be grateful if the Ministers responded, particularly because my policy colleague is not available at the moment. Then we can pick up after that.

[129] **Peter Black:** Okay. Jane, do you want to comment on school nurses?

[130] **Jane Hutt:** To start with school nurses, we have discussed this and we had a very good review at the recent meeting of the Cabinet sub-committee on children and young people, and, as a result, agreed that we would set up a working group to take this forward. There were strong views from Ministers across the whole committee that school nurses play a crucial role in terms of access, prevention, health across the board, and even, if you start looking at the first tier of CAMHS, in terms of preventative strategy. So, I can assure you, Jenny, that the Welsh Assembly Government wants to take this forward.

[131] It is ironic, if you look at the map across Wales, that, again, some areas are well provided with school nurses, while others are not, and there are also different ways in which school nurses are being used, and that is a key point that we need to look at across education and health.

[132] To return to the first point about the national service framework and the child and adolescent mental health services, the issue about parity and equity is that they are national strategies—‘Everybody’s Business’ is a national strategy, as is the national service framework, with targets laid down across the whole of Wales for delivery. In fact, Peter Clarke was involved in the launch of the national service framework at Caerphilly Children’s Centre. There is recognition that if we can implement the national service framework—it means using current resources, and new resources that we can lever in—we will get national provision and coverage, and we will tackle inequalities in delivery.

[133] An interesting aspect of the national service framework is that we are developing the self-assessment tool, which local health boards and local authorities have been trialling. We are about to appoint a project manager to ensure that this is spread across the whole of Wales, because one of the key drivers for change is local authorities, working in partnership with local health boards, managing for themselves the delivery targets and expectations in relation to the national service framework. So, you will soon see a project manager, and there is a project board, which is jointly chaired by Steve Thomas from the Welsh Local Government Association and Ann Lloyd. So, it is local government and health coming together, and they will have their second meeting in March. It is part of the service and financial framework in terms of targets for the national service framework, so the outcome should come through.

[134] I will briefly mention CAMHS, and others may want to comment on this. These services are very much part of your agenda and of Peter Clarke’s report. On this subject, I responded briefly in the Plenary debate a few weeks ago—inevitably, you do not have much

time towards the end of the debate—but we have made progress in this regard. I do not necessarily want to repeat that again today. We have £1.2 million recurrent extra funding, which I announced in 2004, and, in this financial year, we are about to finalise £2.4 million of non-recurrent funding to put into CAMHS, in recognition that CAMHS is also part of the national service framework. We are trying to focus on the way in which we keep children out of in-patient care and keep them in Wales, without, as you said earlier, Maria, having to go to the independent sector outside Wales.

[135] The big push is to develop community-intensive therapy teams. If we have these teams working to intervene when a problem or crisis emerges, we will have a multi-agency and multidisciplinary team to support children, adolescents and the family in the home. That requires education and requires everyone to come on board to work together. This work will start to deliver the child and adolescent mental health strategy, and we are seeing those teams working. Some of you may be aware that we are moving into regional commissioning for CAMHS, so there are three regional commissioning teams developed by Health Commission Wales.

[136] So, there are strategic developments in terms of the child and adolescent mental health service, and, as I said earlier in relation to the national service framework, there must be resources, a strategy and a regional networking approach. We must focus on the starting point of tiers 1 and 2, because you would not then have to focus so much on tiers 3 and 4 when you get into the specialist crisis interventions that unfortunately emerge.

[137] **Jane Davidson:** May I just add a couple of points relevant to the links with education? One of the commitments that we have made is that CAMHS teams should, by the end of this month, aim to provide that consultation and advice to professionals in tier 1 in four weeks. We are maintaining that commitment, and it fits alongside another area, which, from the Education and Lifelong Learning Committee perspective, we have been discussing with the children's commissioner's office. That is about guidance for schools, local education authorities and other partners to promote the mental health and social wellbeing of pupils, including those in nursery settings, and that guidance is also going out for consultation in the spring. This week, we will be considering the scoping work that has been undertaken on counselling. We have already put money in the budget to get the full counselling strategy in place by the summer, so we are now bringing these pieces of the jigsaw together.

3.30 p.m.

[138] **Peter Black:** Are there any issues that you need to pick up on that, Maria or Sara?

[139] **Ms Battle:** We welcome all those developments. Jenny, you asked what we were going to do in the meantime. Our policy team is in constant communication with civil servants in all departments, and we also pick up the impact on the individual children, so we will keep monitoring. We welcome all those developments for children in Wales.

[140] **Ms Reid:** The point that you made illustrated the emphasis on not just tier 4 and specialist services, but on tiers 1 and 2. That is the point that Peter wants to drive home. This is a good strategy and it needs to be funded as a strategy, not in bits and pieces. The sum of £1.2 million sounds like a lot of money, but the cost of specialist services of tier 3 and 4 and what has to be paid in accommodating young people outside Wales is not making enough of an impact. We have heard from individual cases, non-governmental organisations and voluntary organisations providing mental health services to young people, and they are even saying, 'We do not want the strategy; we want some resources'. This is what is needed now.

[141] Diwedd y gân yw'r geiniog. It all comes down to money.

[142] **Rhodri Glyn Thomas:** O ddarllen yr adroddiad, mae'n amlwg eich bod yn gwerthfawrogi rhai o'r datganiadau sydd yn cael eu gwneud gan Lywodraeth Cymru ynglŷn â'r prif feysydd yr ydych yn delio gyda hwy, a'ch bod yn teimlo bod modd i ddylanwadu ar Lywodraeth yng Nghymru ar y materion hynny. Efallai fod hynny'n rhywbeth i'w wneud â datganoli, gan ei bod yn haws cael mynediad i'r Gweinidogion ac adrannau'r gwasanaeth sifil er mwyn cael y dylanwad hwnnw.

Rhodri Glyn Thomas: Having read the report, it is clear that you appreciate some of the statements being made by the Government of Wales regarding the main areas that you deal with and that you feel that it is possible to influence Government in Wales on those issues. Perhaps that is something to do with devolution in that it is easier to access Ministers and civil service departments in order to exert that influence.

[143] Mae'n amlwg, fel y dywedodd Jane Hutt, fod strategaethau cenedlaethol yn deillio o hynny. Fodd bynnag, mae'n amlwg o'r adroddiad eich bod yn teimlo llawer o rwystredigaeth, oherwydd yr ydych yn sôn am y ffaith nad yw'r cynnydd yn digwydd o ran y gwasanaethau sylfaenol i bobl ifanc a phlant yng Nghymru. Dywedir fwy nag unwaith yn eich adroddiad fod y rhwystredigaeth honno'n bodoli am y bedwaredd flwyddyn yn olynol yng nghyswllt gwasanaethau iechyd meddwl i blant a phobl ifanc, a defnyddir y gair 'gwarth' unwaith yn rhagor yng nghydestun ansawdd y gwasanaethau hynny. Er bod ymgynghoriad yn digwydd ar y strategaeth awtistiaeth, mae'n eironig, wrth inni fynd i'r cyfnod hwnnw o ymgynghoriad, fod Dr Judith Piggot wedi cael gwybod bod y gwasanaethau hanfodol y mae hi'n eu cynnig yng Nghaerdydd i blant a phobl ifanc yn cael eu dirwyn i ben ac na fydd Bwrdd Iechyd Lleol Caerdydd yn parhau i gomisiynu'r gwasanaethau hynny.

As Jane Hutt said, it is clear that national strategies emanate from that. However, it is clear from the report that there is a lot of frustration on your part, because you mention the fact that progress is not occurring in terms of fundamental services for children and young people in Wales. It is stated more than once in your report that that frustration exists for the fourth year running in terms of mental health services for children and young people, and the word 'disgrace' is used once more in relation to the quality of those services. Although consultation is taking place on the autism strategy, it is ironic that, as we approach that period of consultation, Dr Judith Piggot has heard that the crucial services that she offers in Cardiff to children and young people will be terminated and that Cardiff Local Health Board will not continue to commission those services.

[144] Yr ydych yn cael strategaethau cenedlaethol oddi wrth y Llywodraeth ond, oherwydd bod comisiynu'r gwasanaethau yn digwydd yn lleol erbyn hyn, gyda'r byrddau iechyd lleol ac awdurdodau lleol, a ydych yn poeni na allwch chi sicrhau cysondeb yn y gwasanaethau drwy Gymru? Efallai fod yn rhaid edrych ar rai o'r meysydd arbenigol hyn a sicrhau comisiynu cenedlaethol er mwyn sicrhau bod pob plentyn, a phobl ifanc yn gyffredinol, drwy Gymru, yn cael yr un gwasanaethau ac nad ydym yn ddibynnol ar wasanaethau sydd yn amrywio yn ôl cod post.

You receive national strategies from the Government but, because the commissioning of these services now takes place at a local level, with the local health boards and local authorities, are you concerned that you cannot ensure consistency in the services across Wales? Perhaps we need to look at some of these specialist areas and ensure national commissioning in order to ensure that every child, and young people in general, across Wales, have the same services and that we are not dependent on a postcode lottery.

[145] **Ms Reid:** Gwnaed y penderfyniad gennym, tra oedd y comisiynydd yn paratoi'r adroddiad hwn, i sicrhau na fyddem yn mynd

Ms Reid: We made the decision, while the commissioner was preparing this report, to ensure that we did not call again for

ati eto i alw am rywbeth newydd, gan fod y comisiynydd wedi llwyddo i gael sylw Llywodraeth y Cynulliad a'r Cynulliad yn gyffredinol ar nifer o faterion yr ydym i gyd wedi eu hystyried fel rhai pwysig. Fodd bynnag, mae hefyd yn amlwg ei bod yn haws dweud na gwneud, ac mae angen yn awr inni sicrhau bod y strategaethau a'r addewidion hynny yn creu rhyw fath o effaith y bydd plant a phobl ifanc yn ymwybodol ohono.

something new, because the commissioner has succeeded in getting the attention of the Assembly Government and the Assembly as a whole on several matters that we have all considered to be important. However, it is also evident that it is easier said than done, and we now need to ensure that those strategies and pledges have some sort of impact that children and young people are aware of.

[146] Dyna un rheswm pam yr oeddem yn awyddus i edrych ar bethau fel newid diwylliant a'r ffordd yr ydym yn trin ein plant o ran materion fel parch, ac i bwysleisio'r angen i sicrhau ein bod yn symud ymlaen i roi'r strategaeth ar waith. Er enghraifft, mae tlodi plant wedi cael sylw. Mae'r strategaeth yn y cyswllt hwnnw wedi cael ei datblygu ond bu oedi, ac mae'r comisiynydd wedi bod yn amyneddgar iawn yn ystod y broses honno. Yn awr, yr ydym yn aros i weld pa fath o weithredu fydd yn digwydd, sut fydd hynny'n cael ei ariannu a sut fydd plant yn gweld gwahaniaeth. Felly, mae cyfrifoldeb arnom i sicrhau nad ydym yn dymuno pethau na all y Llywodraeth eu cyflawni. Yr ydym am sicrhau bod popeth yn gweithio'n iawn er mwyn plant a phobl ifanc.

That is one reason why we were keen to look at things such as changing the culture and the way that we treat our children in terms of matters such as respect, and to emphasise the need to ensure that we move on to the implementation of the strategy. For instance, child poverty has received attention. This strategy has been developed but there have been delays, and the commissioner has been very patient during that process. We are now waiting to see what kind of action will take place, how it will be funded and how children will see a difference. So, it is our responsibility to ensure that we do not expect things that the Government cannot achieve. We want to ensure that everything is working properly for children and young people.

[147] Maria, do you want to add to that?

[148] **Ms Battle:** Regarding the specific issue that you just raised about commissioning, we made representations last week about that particular case. If things are getting stuck in the system, or if the service is failing, perhaps because of bodies' inability to work together, it is necessary for someone to go in and to assist them to work together or to look again at how it should be working. That is one of the issues that we raised last week about the particular service that you just mentioned. We will be looking, when we do our review, at whether that system is working, or whether it is the system itself that is causing problems, because the funding is going in, therefore, where is it getting stuck and why can people not agree and work together?

[149] **Jane Hutt:** One of the important points, which I think that you made, Maria—and you acknowledged progress when strategy moves to delivery, and there has been progress, as you said, in terms of delivery on the CAMHS strategy—and of which I was aware when I was health Minister, was this concern about how you get cross-boundary, joined-up commissioning and delivery. That is why we have moved recently to this concept of three regional commissioning groups and to bring together local health boards, local authorities and Health Commission Wales. That is a good development, which you would obviously recognise. It also deals with some of those issues that have been raised now. I do not think that we need to go into the specific issue that has been raised, but towards the end of the financial year—if there is an issue about a service—that can be brought together quickly, because there is that regional commissioning route to sort that out. These are decisions that have to be made locally, but they have to be made within the context of a national strategy,

[150] I have mentioned the approach of community-intensive therapy, and I know that you would welcome that. If we can focus some of our resources on that, it prevents moving to the intensive, specialist end, which is more expensive and where you turn when you have failed, if you have not brought in the community-intensive therapy. In terms of progress, I have not yet mentioned that we are now employing and training 27 primary mental health workers to work with children. That is also progress, and I think that we need to chart progress as well as recognising that we have an awful long way to go.

[151] We have a new CAMHS nursing course developing between the University of Glamorgan and the University of Wales, Bangor, which again is progress. It is really good progress between north and south Wales. Jane has mentioned other points of progress in terms of education and investment. This is about how we acknowledge progress but recognise where the gaps are and where, perhaps, there are shortfalls or operational difficulties in terms of people working together.

[152] **Ms Battle:** I would agree that we need to highlight where the shortcomings are, and also to highlight where some of the possible solutions may be and to take that to the Assembly, to Health Commission Wales and to any other bodies that are able to assist. That is how I see what we are doing.

3.40 p.m.

[153] **Helen Mary Jones:** My question is to the Ministers, and is in response to what the commissioner says about independent advocacy services on page 33 of his report. He states that,

‘provision remains patchy with questionable independence and changes of provider. I am at a loss to understand why WAG has not pursued these matters more vigorously. The resource consequences are not likely to be great, but the risks of not acting are’.

[154] I am also at a loss to understand that. Would the Ministers care to explain that to us today, since they have clearly not managed to explain it to the children’s commissioner?

[155] **Jane Hutt:** I am happy to explain. This is very much a question of joined-up approaches in Government. As Minister with responsibility for children and Chair of the Cabinet sub-committee on children and young people, I know that this is a key issue on our agenda. However, with the children’s commissioner, we always agreed that we needed to look at this in the overall context of the complaints policy as well as the review of advocacy, and that we should also ensure that we had the evidence and consulted children and young people to ensure that we were taking the right steps forward. In fact, one of your assistant commissioners has been an observer in the advocacy task group.

[156] This goes back to progress. National minimum standards were set in 2002. ‘Telling Concerns’, produced in 2003, was a very useful report from the children’s commissioner, and Peter refers to it in this report. The national minimum standards were key and a real step forward. Furthermore, having a statutory right of access to advocacy in 2004 was crucial for children in need. That is providing the building blocks of a national independent advocacy service.

[157] We will shortly have new guidance on complaints in social care, which is coming through in April. Those will include access to independent panels. Sara raised the importance of independence in relation to advocacy earlier, in her opening remarks. However, we also commissioned that research by Cardiff University and I think that 1,000 children were engaged in consultation. We are now moving to the point of consulting on the outcomes of that in relation to having a more tiered service, along with some regional options, possibly.

All the way along, we have engaged with the children's voluntary sector and children and young people, and I think that progress has been made.

[158] It is obviously disappointing to hear that language, if you like, from the children's commissioner, because we feel that we are making progress and taking steps forwards. Four years ago, there were no national minimum standards or that statutory duty. We fund organisations, and more than £1 million goes out to the children's voluntary sector, providing advocacy services. We now need to ensure that that is streamlined nationally, that there are no gaps and that children, like those who Maria mentioned in the foster care situation, can access that independent advocacy. They have the statutory right but, at the moment, too many young children do not know that they can access that advocacy. We must crack that.

[159] **Peter Black:** On the advocacy and the health service, you told the Cabinet sub-committee in November that children under the age of 16 who could access health services and treatment without their parents' consent did not have a subsequent right of complaint or access to advocacy, and you proposed to review that. So how are you addressing that issue?

[160] **Jane Hutt:** When this came up at the meeting, Brian Gibbons took responsibility for taking that issue back and looking at it. You know that, in Wales, we kept our community health councils and we have developed a children's advocacy route through community health councils. So, we have had a route that is not available in England. However, we recognise that perhaps we could address that issue with our new powers under the Government of Wales Bill, which is currently going through Parliament, because that is clearly a shortfall.

[161] **Jane Davidson:** Could I just add a couple of points? When we had a discussion with the children's commissioner's office about advocacy issues, we agreed that we would look at them, which are led by Brian Gibbons's department, in the context of complaints procedures and the participation agenda. Jane has already outlined the new complaints mechanisms in social care, which include a statutory right for children to access an independent panel. We have been doing complementary work, on the back of the 'Clywch' report in education, and looking at issues around complaints by pupils.

[162] Maria, you also raised the issue of mistreatment by teachers. Back in December, we issued guidance on reporting cases of misconduct or professional incompetence in the education sector. That was important because we knew that, sometimes, employers were allowing employees to walk away without taking the appropriate action that would have meant that they could not move elsewhere in the education sector or other public service system. We have put these guidance mechanisms properly in place. We are very particular about having reports when an employer might have ceased to use a person's services on one of a particular set of grounds, including unsuitability to work with children, had he or she not already ceased to provide the service. That was a key element of the 'Clywch' report. We used the Cabinet sub-committee on children and young people to ensure that what goes on on Brian Gibbons's side of the house and what goes on on my side are brought together because it is often the same children who need support through the health and education services.

[163] **Mark Isherwood:** I will focus specifically on issues in the report. Starting with reference to independent advocacy, I was going to mention the matters that Helen Mary brought up, and use the same quotation. I agree with the Minister that it is disappointing when we hear that kind of language from the children's commissioner. I will add one quotation that was in there, and you said that we need evidence and that we need to consult young people. Of the young people leaving care who contacted the children's commissioner,

'Not one of the young people felt that their personal advisors had represented their views or...negotiated on their behalf'.

[164] To me, that is powerful evidence, and I am sure that the children's commissioner would be very happy to share it with you. I hope that you will look at that in that context.

[165] On school nurses, you refer to setting up a working group. The report stated that, 'the policy rhetoric is not being made a reality simply because of a lack of strategic lead and funding'.

[166] So, will the working group focus on strategic leadership and funding, as identified and prioritised in the report?

[167] On the national service framework for children, the children's commissioner expressed concern that there has been no indication of the level of funding that is to be provided. That was the key issue on that. What indication will be provided on the level of funding and when will that be given?

[168] On staff discipline investigations, may I ask a related question about the rights of staff to know why they are being suspended, with reference to the outcome of a recent investigation in Wrexham into the suicide of a teacher who was suspended?

[169] In tackling child poverty, the children's commissioner expresses concern about the 'lack of urgency' on an issue, which he described as 'a national disgrace' in 2002. What action are you taking to engage with the children's commissioner to agree on urgent action points, building on the knowledge and expertise of his staff?

[170] In terms of the child and adolescent mental health strategy, to which many references have been made, what recommendation are you building in to look at the transition phase from childhood to adulthood?

[171] In terms of the autism strategy, which is clearly related, you referred to consultation, but when will it take place? The key issue for the National Autistic Society and Autism Cymru is when that consultation will begin.

[172] Finally, on bullying, the key issue there is the need to focus not only on direct work with children and young people, but also on building capacity so that a sustainable legacy remains. What action are you planning to build capacity to build in sustainability for the future?

[173] **Peter Black:** I think that all those questions were for the Ministers, and I think that we have just covered the entire section. Jane, you may want to start, but will you try to keep your answers brief, because we are running out of time?

[174] **Jane Hutt:** Mark, I think that we have responded to quite a lot of those points. I do not want to repeat myself.

[175] **Peter Black:** I would be grateful if you did not repeat answers.

[176] **Jane Hutt:** I just want to make one point. In terms of getting the complaints arrangements right for children in health, social care and education, we involved our children and young people's framework partnership at a local level. The partnership consulted more than 1,000 children, and those voices are being heard by Government.

3.50 p.m.

[177] More than 200 children and young people were included in the Cardiff University report that I mentioned on advocacy. We have not really come back on the point of participation, but that has to be the linchpin of how Government develops its policy and responds to reports such as the children's commissioner's report, where evidence is also coming to the children's commissioner from children and young people. We should see this as a dynamic process in which we are listening and learning and taking action.

[178] **Jane Davidson:** I suppose that I could very quickly add areas that we have not mentioned yet. Under the participation agenda, of course, Wales has made school councils statutory, and we are the only part of the United Kingdom to do so. We have our participation unit; we have a children and young people's national assembly, and there are other consultative frameworks with young people. The children's commissioner works with all of them in looking at taking the participation agenda forwards.

[179] The participation agenda and the advocacy agenda have to work together, and that is part of the importance of both. The new 14-19 arrangements, and the learning coach and the personal support mechanisms that are being put forward following Christine Chapman's work, and the action plan will be presented to committee at the end of the month, tied to the counselling strategy as well.

[180] **Peter Black:** I want to quickly cover two more sections. The next one is section two, keeping children and young people at the heart of what we do, which is on page 10. Do any Members have questions on that at all? I see not. After that, finally, the future work programme is on page 29 and the finance and budget. We still have 10 minutes of the meeting left if anyone wants to ask any questions on that.

[181] **John Griffiths:** I am not sure, but this is probably a question that could be asked under various other sections. Is there anything that you could say, Maria or Sara, about the experience thusfar, in the six years or so of our having a children's commissioner and a children's commissioner's office in Wales? How is that office best used given the resources that are available? Does anything stand out, with those six years' experience, in terms of lessons learned as to how the office can be more effective? I am thinking, obviously, of things like the Clywch inquiry, in which huge resources were involved and a huge amount of the office's time. I am sure that various lessons were learned, given that the whole thing came quite early in the evolution of the office. However, in general terms, does anything stand out as to how the office could be more effective in future?

[182] **Ms Battle:** I think that we are learning all the time. In the first year, Peter was alone, and he set up the structure. We are learning all the time, and we constantly keep matters under review. We have changed how we do things, the teams that we are in, and so on. Obviously, the Clywch inquiry was a major piece of work, but it did not take up as many resources as people think it did. I think that it was one of the most cost-effective public inquiries ever held in the UK. It had a very small team that did a huge job. Even recently, we have been contacted by some of the people who participated, and it has changed their lives positively, because the truth was exposed, and we should be proud of that.

[183] We are improving all the time, now that we have staff in place. We started with very few staff. First there were two, and then there were 10. For such a huge remit of powers, we had very few people to do the job. I am looking forward to the developments that we are going to undertake now, with the freephone number, whichever way it goes, with accessing more children, with the dedicators and the bigger communications team, with the advice team, and with the policy team.

[184] Most of the new UK commissioners have come to us and have examined how we work, and most of them have adopted the same model, but tweaked it. One thing that we have

recommended is having an internal chief executive to deal with the stuff that you have to do. I think that it has only been five years now, from 2001 to 2006, but in the first three to four years, we had more auditors in the building than we had staff. I do not think that we had realised the huge mountain of corporate responsibilities and Treasury accounting rules with which we had to comply. So, I was going to get someone in to do that at the time. We hit the ground running.

[185] We have been very outward looking and we must build on what we have now. We have been very fortunate in Wales to receive the support of the general public and the Assembly to go forwards. We will constantly keep at it and we will use disappointed language, because we welcome the developments but, in terms of independent advocacy, last week, an advocacy service funded by a local authority was directed by the local authority not to speak to me about a child, and it is getting paid by the local authority. I have seen children who cannot access advocates during the summer, and I have done it because everyone is away in August. There are certain age limits which are unacceptable. There is a reluctance to challenge, in a way, and we went through all this with the Children and Family Court Advisory and Support Service, which is why we took it away from local authorities. So, we will keep on at that.

[186] We welcome the developments, but we know about the impact on individual children. It is our job to speak up for those particular children. I want more children to know about us, as we are not known enough. I would like everyone out there to say, 'The commissioner's here'. We will get to lots of individuals who work with children with our stuff to see if they will get the word out. We need to listen more to children in our organisation. Sara has set up those structures, and we look forward to taking forward their agendas. We took forward what we thought was their agenda at the beginning, based on our experience, but they will now be at the very heart of it. It is an exciting time at the moment but we are learning all the time, as we have as a new nation with devolution, in a way.

[187] **Ms Reid:** I have one quick point, on an issue that Peter raised in his foreword to the annual report. We must accept that the resources available to us are not limitless, and we need to be creative in the way in which we ensure that we use those resources successfully to have the biggest impact. I mentioned the cost of advertising in publications—we could quite happily spend our entire budget on advertising and make a small impact. So, working with other organisations has been really important to us at the beginning. We hope that the Welsh Assembly Government will also take its responsibility seriously under article 42 of the UN convention, not just to promote the UN convention on children's rights, but also in terms of all the bodies and structures that are linked to it in some way.

[188] The report was written at the end of September and early October, and Peter talks about his three-year plan, putting the case for increasing the number of staff involved in working directly with children and young people throughout Wales. The communications and participation team will not be recruited, because we were not successful in securing the funding that Peter had included in the three-year plan. It is difficult to ensure that we have adequate resources. Participation is well recognised as being resource-intensive and time-consuming. We have always involved children and young people in our work, and we have now developed a systematic framework that means that we can be very confident about the impact that children and young people will have on influencing our work plan and prioritising issues. It will not be just about who shouts the loudest, because we need to concentrate on reaching those children and young people who have yet to find their voice, or do not have anyone to speak up for them at the moment, or who may not even think that they have the right to be heard. It is something on which we will focus in the coming years, and on which we must accept that we will have to be increasingly creative, working in partnership with the Government, the Assembly and all those concerned with children's health and wellbeing.

[189] **Peter Black:** There are two more succinct questions from Rhodri Glyn and Lynne.

4.00 p.m.

[190] **Rhodri Glyn Thomas:** Sara has answered the question that I wanted to ask about resources being finite and, although we appreciate and welcome your enthusiasm, there is a point about those resources. As Assembly Members, we have all found—some of us have been here for nearly seven years now—that the more services you offer, the more work you create for yourself. However, I am glad to see that you are looking creatively at that and at how you can get the biggest impact.

[191] We now have the fourth annual report to have been produced by your office. Some of these issues have been raised in each of those reports and you are still saying that there is a certain amount of frustration there that the services are not being provided as you would want them to be provided. At what point do you say, ‘Well, we have done as much as we can in that area, and there is nothing more that we can do; we have highlighted it, we have sought some movement and it has not happened’. Is there a cut-off point where you have to say, ‘We have to move on to something else’?

[192] **Ms Battle:** We have not got to that cut-off point yet. I do not think that we are ever going to go away. They are really important issues for children and young people and we will just keep on and on. There might be other issues but, in terms of those that are important, if they are not impacting on children the way that they should be and if they are not improving to the extent that they can, we will keep on and on.

[193] To pick up on another issue that was raised, we have been given the opportunity this year to put forward a review of the toolkit that we have, namely the powers and whether they can be increased by the Assembly. This April, we will be allowed access into premises, which we never had before. We have been refused access to children who have asked to see us on public premises in the past, so we really welcome the ability to say, ‘You have to let us in’. We would also welcome the ability to obtain information without having to use the powers in that toolkit so that we know whether we need to go any further. Based on the experience of the last four or five years, we know what could assist us to do our job more effectively. So, we will be drawing that up in the next year.

[194] I agree with Sara, we need more resources, but we are trying to use what we have in the most effective way. For example, we are going to get volunteers in and we are trying to reach people through other people telling children about us. We will keep banging on that door so that we can be more effective on behalf of children.

[195] **Lynne Neagle:** In relation to the future work programme, formal childcare is an ever-increasing part of children’s lives and, although there are agencies that monitor the quality and safety of childcare, there is no doubt that there is a variation in the quality of provision, as there is in all other services. How do you see your role developing in relation to childcare services in Wales?

[196] **Ms Battle:** It is not an issue that we have dealt with in a policy or systematic manner in the past, but I would welcome a discussion outside committee if you think that that is an area for us. We are open to representations from anyone. If you are picking up that we need to be involved in some way, we are very open to that and we would welcome that discussion.

[197] **Jane Davidson:** I thought that it would be useful for Members to put the budget discussions into context, because we have put substantial extra investment into the children’s commissioner’s office this year and the commissioner fully acknowledges that. The budget went up 38 per cent and it now sits at £1.436 million, and we have put a further £200,000

increase into 2007-08, which will take it up to £1.636 million. So, substantial additional funding has gone into the office.

[198] **Peter Black:** I thank everyone for coming along, and I thank the representatives for presenting the report.

Daeth y cyfarfod i ben am 4.04 p.m.
The meeting ended at 4.04 p.m.