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National Assembly for Wales

Via email:  
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Dear Lynne

**Re: Children (Abolition of Defence of Reasonable Punishment) (Wales) Bill – children's awareness**

Thank you for your letter dated 26 June 2019 requesting my views on the next steps the Welsh Government should be considering in preparation for raising awareness of the legislation among children, including pre-school children.

There have been constructive discussions about this topic at the Welsh Government's Expert Stakeholder Group and there are clear commitments to continue working with the third sector and my team on finalising their plans.

Below I outline my thoughts on what the Welsh Government's approach might look like.

**Input and insight from children and young people:** I would encourage the Welsh Government to secure meaningful input from children and young people on their engagement plans. Young Wales, hosted by Children in Wales, would provide an obvious vehicle for this work. This work could help shape any education materials and messaging and could, crucially, enable the Government to determine the best vehicles for reaching diverse populations, including those not in education or training, home educated children and young people, those with additional learning needs and those from Wales' various faith groups.

**Outputs (what engagement activities could look like):**

Children and young people need to have more than an awareness of equal protection legislation, they need to understand this in the context of their human rights, as guaranteed by the UN Convention on the Rights of the Child (UNCRC).

This means that schools should develop children and young people's understanding of their human rights, including their right to be safe, their right to be protected from harm, and their right for adults to act in their best interests. New legislation can be



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explained and clearly understood within this context. Many schools across Wales have well-developed children's rights approaches in which all children, including the youngest have this understanding of their rights. I would suggest that practice studies from these schools could be used to demonstrate how new legislation can be presented both to children and families in this context and there could be local opportunities for school-to-school learning across Wales. Many schools would be well placed to lead this work and their role should be considered when developing the resource implications.

This approach should be underpinned by the new curriculum, in which the draft versions of the Humanities and Health and Wellbeing AoLE show an emphasis on developing human rights education and an understanding of the rights of children. The curriculum would support this even more strongly if the legislation also includes a due regard duty to the UNCRC. I am calling on Government to make this commitment to the long-term needs of children in primary legislation so that children's human rights remain at the centre of education into the future.

Developing this understanding among children and young people would also be well placed in Relationships and Sexuality Education, which is proposed as a statutory requirement of the new curriculum from 3-16. In my response to this consultation I urged Government to re-visit this guidance in detail, emphasising the need to work with the specialists in the field of RSE, the teaching profession and young people to co-produce a document that gives more clarity and granularity to teaching professionals about the knowledge, skills and experiences appropriate for children and young people at different stages of development. I would suggest that developing children's understanding of what they should expect from their relationships with adults, including understanding this new legislation, could form a clear part of this guidance.

This work cannot be seen as a one-off communications campaign. Instead, as well as clear links within the new curriculum, it also needs to tie-in to well-established education programmes e.g. School Beat and the NSPCC's 'Speak Out, Stay Safe' service in primary schools. It should be seen as one critical element of the Government's wider stakeholder plan. The plan should target those working and caring for children and young people, including youth services, Healthy Child Wales, Flying Start and Families First Networks and other key partners working in early years' settings e.g. Mudiad Meithrin – stakeholders who would be able to cascade relevant positive, empowering information themselves to children and young people, and stakeholders who would need to be equipped via a central rights-based resource pack on how to handle situations that could arise as a result of any new legislation.

I understand that third sector partners on the Welsh Government's expert stakeholder group, including Barnardo's Cymru, NSPCC Cymru/Wales and Save the Children, and ourselves are keen to continue providing advice and support to the Government on ensuring materials are age-appropriate, accessible and have the widest-possible reach.

### **Outcomes**

I think it's important to outline here what the proposed outcomes of this work should be. For me, the ultimate aim of any communications work targeted at children and



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young people about this positive development is simple: for children and young people to know that it is illegal to punish children in Wales in any way that causes pain.

Again, I'm reassured by the discussions taking place at the expert stakeholder group about what and how to effectively evaluate any communications work.

I trust the above provides you with an idea of what I think the Government should be including in its communications planning.

Yours sincerely,



**Sally Holland**

**Children's Commissioner for Wales**

