



**Children's Rights Impact Assessment (CRIA)**

<b>Title / Piece of work:</b>	Implementing the Additional Learning Needs and Education Tribunal (Wales) Act 2018 A guide to the timeframes for implementing individual development plans for children of compulsory school age and under
<b>Name of Branch:</b>	Additional Learning Needs Transformation Branch, Support for Learners Division
<b>Department:</b>	Education and Public Services Group, Welsh Government
<b>Date:</b>	July 2018

## Six Steps to Due Regard



### Step 1. What's the piece of work and its objectives?

The guide is the first in a series of guides which set out how specific aspects of the Additional Learning Needs and Education Tribunal (Wales) Act 2018 ('the Act') will be implemented.

The Act will create a new statutory framework for children and young people aged 0 to 25 with additional learning needs (ALN). This new framework will replace the existing statutory special educational needs (SEN) framework and the assessment and planning for young people with learning difficulties and/or disabilities in post-16 education and training.

The objectives are to create:

- a unified legislative framework to support children of compulsory school age or below with ALN and young people up to the age of 25 with ALN who are in school or further education (FE);
- an integrated, collaborative process of assessment and planning that facilitates early, timely and effective interventions; and
- a fair and transparent system for providing information and advice, and resolving concerns and appeals.

In order to achieve these three overarching objectives, the Welsh Government has established eleven core aims within which the Act's provisions have been developed.

These aims are as follows:

- The introduction of the term ALN
- A 0 to 25 age range
- A unified plan
- Increased participation of children and young people
- High aspirations and improved outcomes
- A simpler and less adversarial system
- Increased collaboration
- Avoiding disagreements and earlier disagreement resolution
- Clear and consistent rights of appeal
- A mandatory Code
- A bilingual system.

The implementation guide sets out how the unified plans – IDPs – will generally be implemented for children of compulsory school age and below. The guide does not address arrangements for IDPs for young people over compulsory school age or the arrangement for exceptions to how IDPs will generally be implemented. These arrangements will be set out in guides which will be published separately.

### **A unified plan**

#### **The Act**

The Act introduces statutory IDPs for children and young people with ALN.

The IDP will describe the child or young person's ALN and the additional learning provision (ALP) required to meet those needs. IDPs will normally be prepared, maintained and reviewed by the governing body of the school or FEI in Wales that the child or young person attends following a determination by that body that the child or young person has ALN. The ALP set out in the IDP will normally be delivered by that school or FEI. Local authorities in Wales also have duties to prepare and maintain IDPs for children and young people in their area. For example, in cases where adequately determining the extent of the child's or young person's ALN, or adequately determining the necessary ALP, is beyond the school or FEI's capability; or where it would not be reasonable for the governing body of the school or FEI to secure the ALP that may be required; or where the child or young person is not attending such a setting (including those attending non-maintained schools and non-maintained early years settings or children who are home educated), the local authority would be responsible for determining ALN, preparing and reviewing the IDP (if that is necessary in the case of a young person not attending a maintained school or FEI in Wales) and securing the ALP within it. The intention is that the ALN Code will provide guidance on instances where it may not be reasonable for a school or FEI to determine the ALN of a learner or secure the ALP required by a learner.

Local authorities will be responsible for preparing, maintaining and reviewing IDPs for children with ALN who are looked after by them and are in the area of a local authority in Wales (whether their area or another local authority's).

As a minimum, IDPs would have to be reviewed at least once in every 12 month period, and may need to be reviewed more frequently depending upon the circumstances.

Where a learner with an IDP maintained by local authority is registered or enrolled at a maintained school or FEI in Wales, the Act requires that the governing body of the school or FEI takes all reasonable steps to secure the ALP included in the IDP – but ultimate responsibility for securing that provision would rest with the local authority that maintains the IDP. Local authorities also must consider whether it is necessary to prepare and maintain an IDP for a young person who is not in a school or FEI, whether it is no longer necessary to maintain a plan for a young person; and whether it will be necessary for a plan to be maintained for a detained person, including a detained child, when the person is released.

The Act addresses when duties to maintain an IDP cease and when they transfer to another body. For example, a body may cease to maintain an IDP if it decides that

the child or young person no longer has ALN, but in this case, before it ceases to maintain the plan, the learner has an opportunity to challenge the decision. There is also provision for duties to maintain an IDP to transfer to another body, for example when a child or young person moves to a different school or local authority area, or transfers from school to an FEI.

#### A simpler and less adversarial system

In removing the current artificial and contentious divide between children and young people who receive a statement of SEN and the statutory protection that affords, and those who have needs that are not considered severe or complex enough to receive a statutory plan with statutory protection, the Act will eliminate one of the principle causes of adversary in the current system. The emphasis of the Act on the participation of children, their parents and young people in the decisions which affect them and the development of IDPs, will result in a more consensual approach to planning. The Act's provisions on IDPs will also pave the way for a less bureaucratic and time consuming process for planning provision, which should prove simpler to understand and less confrontational.

#### **The guide**

The implementation guide sets out how IDPs will generally be implemented for children of compulsory school age and below. The guide does not address arrangements for IDPs for young people over compulsory school age or the arrangement for exceptions to how IDPs will generally be implemented. These arrangements will be set out in guides which will be published separately.

The Welsh Government will be adopting a phased approach to implement the ALN system, which will run alongside delivery of the wider ALN Transformation Programme.

The phased approach has been informed by the views of stakeholders responding to the public consultation on how the Act should be implemented. The consultation found strong support for mandating a phased approach to implementing the ALN system. Most stakeholders agreed that national timeframes for transferring specific cohorts of children and young people to the new system would be the most manageable and consistent approach.

To minimise any adverse impacts of phasing implementation, the approach adopted prioritises the youngest children, to facilitate early and effective intervention and those children nearing points of progression, to facilitate effective transition planning. In addition, children with statements of SEN must have IDPs within two years, in recognition these learners are likely to have the most severe and complex needs.

## Step 2. Analysing the impact

The guide will contribute to the implementation of following aspects of the Act and realisation of the following positive impacts (in terms of children's rights) for children of compulsory school age and below:

- **provide a unified, equitable system** across children of compulsory school age and below, education providers and levels of need, thereby removing inconsistency and unfairness (articles 1 & 3);
- **introduce a more flexible, responsive process** of ongoing assessment, enabling provision for the individual learner to evolve over time in accordance with their changing needs (articles 28 & 29);
- **ensure a more person-centred approach**, placing the child's views at the heart of the process and involving them and their families in the planning, intervention, and review process from the onset (article 12 & 16);
- **avoid duplication** arising from plans that do substantially the same thing and integrate where possible and appropriate, existing plans and interventions delivered for children (article 3); and
- **retain and extend rights of appeal** to the Tribunal as an ultimate safeguard in relation to the adequacy of the support provided to every child who has ALN, not just those who have complex needs (articles 3 & 4).

A series of engagement events were held for children and young people (and their families) both during the consultation on the White Paper, titled *Legislative Proposals for Additional Learning Needs*, and during the consultation on the draft Additional Learning Needs and Education Tribunal (Wales) Bill ('the draft Bill').

In the summer of 2014, the Welsh Government commissioned an external contractor to gather the views, feelings and opinions of children, young people and their families on the legislative proposals as set out in the White Paper. The workshops used a variety of engagement methods including play, discussion sessions and debates using the 'easy read' consultation paper. The easy read paper was also used by children and young people in schools and colleges to submit their views. The outcomes of this consultation exercise were used to inform the policy development process to produce the draft Bill. Summaries of both the White Paper responses and the workshops were published on 14 October 2014<sup>1</sup>.

The draft Bill, which built upon the White Paper, was published for consultation on 6 July 2015. To support the consultation, which ended on 18 December 2015, a draft version of the ALN Code and outline timescale for implementation of the new system were also published.

A consultation document for children and young people was published along with an easy read explanation of the draft Bill. These documents were used by a contractor, commissioned by the Welsh Government, to assist with the delivery of bespoke participation workshops with children, young people and their parents/carers. A total of 23 workshops took place across Wales.

During the workshops, the views of children and young people were elicited separately from those of their parents/carers to ensure their views were accurately

<sup>1</sup> These documents are available on request from SENReforms@gov.wales

recorded. There were 19 workshops for children and young people, held at 16 settings, with a total of 222 participants. The workshop settings included special schools, primary schools, secondary schools, further education settings, a pupil referral unit, a group of looked after children and home educated children. The overall level of support for the proposals was very high: the main criticism raised by children and young people was the lack of focus on health provision within the proposed reforms.

There were four workshops with adults with a direct interest in the legislation. A total of 45 adults participated. They included foster carers and parents with children who: have a Statement of SEN; are in early years education; and who are being home educated. Overall, there was a high level support for the proposed changes: the main criticism was in relation to the resources available to deliver the proposed system.

Each workshop was structured to provide participants with the information and understanding to allow them to make empowered decisions when responding to the ten set consultation questions, which reflected the then ten core aims of the reforms. While there was an overall high level of support, there was a difference between the responses of the children/young people, and the adults.

The views of children, young people and their parents/carers were used, along with responses received through wider consultation, to inform the refinement of the Bill, development of the draft Code and wider ALN Transformation Programme. Officials from the Education and Public Services and Health and Social Services Groups within the Welsh Government have worked closely on developing the health provisions within the Act and wider reform programme. This development work addressed directly the main concerns raised by children and young people.

In her 2015-16 Annual Report (October 2016), the Children's Commissioner made the following recommendation:

'Welsh Government should introduce new legislation and a robust Code of Practice that delivers on its commitment to children and young people with additional learning needs. It should strengthen the coordination, provision and support provided to children and young people with additional learning needs, including the introduction of statutory duties on LHBs and NHS Trusts to provide support and to strengthen the powers of the Education Tribunal for Wales'.

This recommendation has been addressed through the Act, the draft Code and the wider ALN Transformation Programme.

The Welsh Government engaged substantively with the Children's Commissioner's Office during the development of the Bill and draft Code. The Commissioner's Office was represented on the Code Content Development Group, which helped to develop second iteration of the draft Code, which was made available to the Children, Young People and Education Committee in February 2017 to support the Assembly's scrutiny of the Bill. Feedback from the Committee on the draft ALN Code and accompanying documents has been considered and we continue to use it to inform ongoing policy development linked to our reforms.

A Children's Rights Impact Assessment was published at the same time as the draft Bill and a further version was published upon introduction of the Bill into the National

Assembly for Wales on 12 December. The impact assessment was revised in light of Stage 2 and Stage 3 amendments and further policy developments. It is available on the Welsh Government website:

<http://gov.wales/topics/educationandskills/schoolhome/additional-learning-special-educational-needs/transformation-programme/legislation-and-statutory-guidance/>

An 'easy read' explanation of the Bill was produced by Learning Disability Wales on behalf of the Welsh Government and published on the Welsh Government's website in February 2017:

<https://beta.gov.wales/sites/default/files/consultations/2018-01/151019-easy-read-explanation-en.pdf>

The Act supports the Child Poverty Strategy for Wales 2015. Objective 3 of the strategy is: *Reducing the inequalities which exist in the health, education and economic outcomes of children and families living in poverty, by improving the outcomes of the poorest.* Our proposals aim to remove education inequalities by ensuring that all children and young people are able to achieve their educational potential. The Welsh Government's publication *Rewriting the Future* states that a learner eligible for free school meals (eFSM) in Wales is twice as likely to have SEN. By improving the system it will have a disproportionately positive effect on children and young people from a low income household.

Using ALN as a single term will help avoid some of the stigma associated with the existing terms SEN and LDD, and will mark a clear break from the current system which is widely considered to require fundamental reform.

We have identified no negative impacts of the provisions set out in the Act for children and young people.

### **Step 3. How does your piece of work support and promote children's rights?**

The implementation of IDPs for children of compulsory school age and under supports the following UNCRC articles:

#### **Article 1 - Everyone under 18 years of age has all the rights in this Convention.**

The implementation of IDPs introduces an equitable system whereby all children with ALN, regardless of the complexity of their needs, will have a statutory plan and rights to challenge certain decisions made by local authorities in relation to ALN.

IDPs will be created through collaborative meetings in which practitioners use person-centred practice (PCP) to ensure the views, wishes and feelings of the child and the child's parent, are at the centre of decisions relating to their child's ALN.

The implementation guide sets out how IDPs for children of compulsory school age and below with ALN will be implemented over a three year period. The phased implementation approach has been informed by the views of stakeholders responding to the public consultation on how the Act should be implemented. The consultation found strong support for mandating a phased approach to implementing the ALN system. Most stakeholders agreed that national timeframes for transferring specific cohorts of children to the new system would be the most manageable and consistent approach.

**Article 2 - The Convention applies to everyone whatever their race, religion, abilities, whatever they think or say and whatever type of family they come from.**

The implementation guides sets out that all children with ALN, of compulsory school age or below, is entitled to a statutory IDP to support their learning, regardless of the severity or complexity of their needs. This will ensure greater consistency and continuity and that provisions and rights are protected regardless of the severity or complexity of needs.

**Article 3 - All organisations concerned with children should work towards what is best for each child.**

The implementation of the Act will support early identification and timely intervention to ensure that every child and young person with ALN can achieve their educational potential. To encourage collaboration and ensure that organisations work towards what is best for each child, where a local authority requests help or information from another specified body – including, for example, another local authority, governing body of a maintained school or FEI, or certain health bodies – in the exercise of their ALN functions, that body must comply with the request (unless specified circumstances apply). This is essential to ensuring that needs are identified early and the right support is put in place to enable children and young people to achieve the best possible outcomes.

In addition, NHS bodies in Wales will be under a new duty to consider, when asked, whether there is any relevant treatment or service that is likely to be of benefit in addressing a learner's ALN. Any treatment or service so identified must be included in the learner's IDP and the health body must secure the provision of the treatment or service.

The new DECLO role and the ALNCo role will help to foster improved working relationships and practices between agencies who work with children to get the best outcome for the child or young person.

It is intended that the ALN Code, which will accompany and support the Act, will provide further guidance to professionals to support effective multi-agency working.

Whilst the Act largely replicates the existing legislative duty to favour those with ALN being educated in mainstream maintained schools (subject to limited exceptions), it also promotes a person-centred approach. The Act, therefore, acknowledges that in some instances, attending a mainstream maintained school may not be appropriate in the child's best interests. It consequently enables a local authority to place a child outside of the mainstream maintained education sector in some such circumstances.

**Article 4 - Governments should make these rights available to children.**

The implementation of IDPs introduces an equitable system whereby all children with ALN, regardless of the complexity of their needs, will have a statutory plan and rights to challenge certain decisions made by local authorities in relation to ALN.

The implementation guide sets out a phased approach whereby the most vulnerable

children with ALN will be prioritised. This includes: the youngest children, to facilitate early and effective intervention; children nearing points of progression, to facilitate effective transition planning; and children with statements of SEN, in recognition these learners are likely to have the most severe and complex needs.

**Article 12 - Children have the right to say what they think should happen, when adults are making decisions that affect them, and to have their opinions taken into account.**

The Act will ensure that the child's and young person's voice is at the heart of decisions made about them and the planning that will ensure their ALN is met.

The Act places duties on local authorities and National Health Service bodies to have due regard in relation to the articles contained in the UNCRC and the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) when exercising functions in relation to the Act.

It builds on previous work to ensure the voice of the child is respected, such as the Education (Wales) Measure 2009 referred to above.

This Act bolsters those rights by providing that the views, wishes and feelings of children and young people are taken into account, for example when preparing an IDP and when reviewing it. The ALN Code will provide further details on the use of a person-centred planning approach. The Act also gives local authorities a duty to refer children and young people to an independent advocacy service on request. The ALN Code may impose further requirements and provide guidance in relation to these independent advocacy services, including, if necessary, their interaction with independent advocacy services prescribed elsewhere in legislation.

**Article 13 - Children have the right to get and to share information as long as the information is not damaging to them or to others.**

The Act provides that local authorities will be required to make arrangements for providing children, young people and others with information and advice about ALN and the system set out in the Act. Local authorities will be required to take reasonable steps to make known these arrangements to various people. There are also duties on governing bodies to make these arrangements known to their learners and others.

These arrangements will support children and young people to have a say about what they think should happen (see article 12). In broad terms, such information has to be given to children with capacity to understand the subject matter and there is provision for giving it to case friends in instances where the child lacks that capacity. There are also procedures to allow a child to challenge a judgement on capacity, ultimately by application to the Tribunal.

**Article 16 - Children have a right to privacy. The law should protect them from attacks against their way of life, their good name, their families and their homes.**

The Act provides for regulations to be made about the disclosure or use of information for purposes connected with the education of the child or young

person. Provisions of the Act and this regulation power recognise there are occasions where the sharing of information about individuals without the consent of the individual (or their parent in the case of children) might be appropriate or necessary. For example, because it would enable the provision of education suitable for a particular child of compulsory school age. The Act contains appropriate limits on the disclosure of information which respect privacy. For example, section 57 gives a power to particular health bodies to inform local authorities of its opinion that a child under compulsory school age has or may have ALN, but only after having discussed with the parent and if it is satisfied that doing so would be in the best interests of the child. Other law on information sharing and data protection will also apply.

**Article 23 - Children who have any kind of disability should have special care and support so that they can lead full and independent lives.**

The Act places duties on local authorities and National Health Service bodies to have due regard in relation to the UNCRPD when exercising functions in relation to the Act. This means that local authorities and NHS bodies' strategic decision making will have regard to the conventions in accordance with the ALN Code.

The Act provides that a person will have ALN if he or she has a learning difficulty or disability that calls for ALP.

It provides that a child of compulsory school age or person over that age has a learning difficulty or disability if he or she:

- has a significantly greater difficulty in learning than the majority of others of the same age; or
- has a disability which prevents or hinders him or her from making use of facilities for education or training of a kind generally provided for others of the same age in mainstream maintained schools or mainstream institutions in the further education sector.

A child under compulsory school age has a learning difficulty or disability if he or she is, or would be if no ALP were made, likely to have a significantly greater difficulty in learning than the majority of their peers when of compulsory school age.

Those children, and young people in school or FE, who have ALN will be entitled to receive an IDP and the ALP set out in it.

Where a child's or young person's reasonable needs cannot be met unless the local authority also secures particular provision, for example a place at a particular independent school and/or board and lodging so that they can attend a particular residential institution (this could be because of a child or young person has a disability and severe and/or complex ALN) the local authority must (subject to some other conditions) set out that provision in the IDP and secure it.

The Act will strengthen the current registration regime to provide the necessary assurance that a child or young person with ALN is placed in an appropriate setting.

**Article 28 - Children have a right to an education. Discipline in schools should respect children's human dignity. Primary education should be free. Wealthy countries should help poorer countries achieve this.**

The Act will provide for a system of support that enables children, and young people in school or pursuing further education, in Wales up to the age of 25 who have ALN, to access and fully benefit from the educational opportunities that are available to them and their peers.

**Article 29 – Education should develop each child’s personality and talents to the full. It should encourage children to respect their parents, and their own and other cultures.**

The document provides guidance on how to implement provisions of the Act, which are based on the principle that every child should be supported to achieve their educational potential. The statutory IDP will help to ensure that every child with ALN of compulsory age and under will receive the provision they require to do so.

#### **Step 4. Advising the Minister and Ministerial decision**

The advice to the Cabinet Secretary for Education confirms that this CRIA has been completed. No conflict with UNCRC articles has been identified.

#### **Step 5. Recording and communicating the outcome**

This impact assessment will be published on the ALN Transformation website alongside the guide to the timeframes for implementing individual development plans for children of compulsory school age and under.

#### **Step 6. Revisiting the piece of work as and when needed**

The impact on the rights of the child and young person will be kept under review. As the wider Transformation Programme is developed and the implementation of the new ALN system rolls out, there will be further consideration on the impact on the UNCRC.

As part of the post implementation review an evaluation of the impact of the Act will be undertaken to monitor the extent to which the legislative and wider policy changes are being embedded and making an impact on outcomes for learners. A baseline study, against which future impact can be assessed, is currently being undertaken.

#### **Budgets**

**As a result of completing the CRIA, has there been any impact on budgets?**

**No**

**Please give any details:**

There has not been any impact on the budget as a result of this CRIA. A comprehensive consideration of the costs associated with the Act forms part of a

regulatory impact assessment, which forms part of the Explanatory Memorandum that accompanied the Act.

### **Monitoring & Review**

<b>Do we need to monitor / review the proposal?</b>	<b>Yes</b>
<b>If applicable: set the review date</b>	

**See next page for  
a Summary List  
of the UNCRC  
articles**



# THE UNITED NATIONS CONVENTION ON THE RIGHTS OF THE CHILD

[www.uncrcletsgetitright.co.uk](http://www.uncrcletsgetitright.co.uk)

The United Nations Convention on the Rights of the Child is an international agreement that protects the human rights of the children under the age of 18. On 16 December 1991, the United Kingdom of Great Britain and Northern Ireland formally agreed to make sure that every child in the UK has all the rights as listed in the convention. The Welsh Government has shown its commitment to the convention by adopting it as the basis for policy making for children in Wales.

Altogether there are 54 articles in the convention. Articles 43-54 are about how adults and governments should work together to make sure all children are entitled to their rights. The information contained here is about articles 1-42 which set out how children should be treated.



Llywodraeth Cymru  
Welsh Government

[www.cymru.gov.uk](http://www.cymru.gov.uk)

## Article 1

Everyone under 18 years of age has all the rights in this Convention.

## Article 2

The Convention applies to everyone whatever their race, religion, abilities, whatever they think or say and whatever type of family they come from.

## Article 3

All organisations concerned with children should work towards what is best for each child.

## Article 4

Governments should make these rights available to children.

## Article 5

Governments should respect the rights and responsibilities of families to direct and guide their children so that, as they grow, they learn to use their rights properly.

## Article 6

All children have the right of life. Governments should ensure that children survive and develop healthily.

## Article 7

All children have the right to a legally registered name, the right to a nationality and the right to know and, as far as possible, to be cared for by their parents.

## Article 8

Governments should respect children's right to a name, a nationality and family ties.

## Article 9

Children should not be separated from their parents unless it is for their own good, for example if a parent is mistreating or neglecting a child. Children whose parents have separated have the right to stay in contact with both parents, unless this right hurt the child.

## Article 10

Families who live in different countries should be allowed to move between those countries so that parents and children can stay in contact or get back together as a family.

## Article 11

Governments should take steps to stop children being taken out of their own country illegally.

## Article 12

Children have the right to say what they think should happen, when adults are making

decisions that affect them, and to have their opinions taken into account.

## Article 13

Children have the right to get and to share information as long as the information is not damaging to them or to others.

## Article 14

Children have the right to think and believe what they want and to practise their religion, as long as they are not stopping other people from enjoying their rights. Parents should guide their children on these matters.

## Article 15

Children have the right to meet together and to join groups and organisations, as long as this does not stop other people from enjoying their rights.

## Article 16

Children have a right to privacy. The law should protect them from attacks against their way of life, their good name, their families and their homes.

## Article 17

Children have the right to reliable information from the mass media. Television, radio and newspapers should provide information that children can understand, and should not promote materials that could harm children.

## Article 18

Both parents share responsibility for bringing up their children, and should always consider what is best for each child. Governments should help parents by providing services to support them, especially if both parents work.

## Article 19

Governments should ensure that children are properly cared for, and protect them from violence, abuse and neglect by their parents or anyone else who looks after them.

## Article 20

Children who cannot be looked after by their own family must be looked after properly, by people who respect their religion, culture and language.

## Article 21

When children are adopted the first concern must be what is best for them. The same rules should apply whether the children are adopted in the country where they were born or taken to live in another country.

## Article 22

Children who come into a country as refugees should have the same rights as children born in that country.

## Article 23

Children who have any kind of disability should have special care and support so that they can lead full and independent lives.

## Article 24

Children have the right to good quality health care and to clean water, nutritious food and a clean environment so that they will stay healthy. Rich countries should help poorer countries achieve this.

## Article 25

Children who are looked after by their local authority rather than their parents should have their situation reviewed regularly.

## Article 26

The Government should provide extra money for the children of families in need.

## Article 27

Children have a right to a standard of living that is good enough to meet their physical and mental needs. The Government should help families who cannot afford to provide this.

## Article 28

Children have a right to an education. Discipline in schools should respect children's human dignity. Primary education should be free. Wealthy countries should help poorer countries achieve this.

## Article 29

Education should develop each child's personality and talents to the full. It should encourage children to respect their parents, and their own and other cultures.

## Article 30

Children have a right to learn and use the language and customs of their families, whether these are shared by the majority of people in the country or not.

## Article 31

All children have a right to relax and play, and to join in a wide range of activities.

## Article 32

The Government should protect children from work that is dangerous or might harm their health or their education.

## Article 33

The Government should provide ways of protecting children from dangerous drugs.

## Article 34

The Government should protect children from sexual abuse.

## Article 35

The Government should make sure that children are not abducted or sold.

## Article 36

Children should be protected from any activities that could harm their development.

## Article 37

Children who break the law should not be treated cruelly. They should not be put in prison with adults and should be able to keep in contact with their families.

## Article 38

Governments should not allow children under 15 to join the army. Children in war zones should receive special protection.

## Article 39

Children who have been neglected or abused should receive special help to restore their self respect.

## Article 40

Children who are accused of breaking the law should receive legal help. Prison sentences for children should only be used for the most serious offences.

## Article 41

If the laws of a particular country protect children better than the articles of the Convention, then those laws should stay.

## Article 42

The Government should make the Convention known to all parents and children.

For further information on the United Nations Convention on the Rights of the Child please visit: The Welsh Government's UNCRC Website: [www.uncrcletsgetitright.co.uk/](http://www.uncrcletsgetitright.co.uk/)

Clc - The National Information and Advice Service for Young People [www.clconline.co.uk/news/](http://www.clconline.co.uk/news/)

