

This Integrated Impact Assessment for the Children (Abolition of Defence of Reasonable Punishment) (Wales) Bill, originally published March 2019 and revised Jan 2020, was produced for reference during scrutiny of the Bill. The Bill received Royal Assent in March 2020 and no further revisions will be made to this published document however, an Integrated Impact Assessment relating to the implementation activity will be published in due course.

C. WELSH LANGUAGE IMPACT ASSESSMENT

1. **Welsh Language Impact Assessment reference number (completed by the Welsh Language Standards Team.**

04/11/2018

2. **Does the proposal demonstrate a clear link with the Welsh Government's strategy for the Welsh language? – Cymraeg 2050 A million Welsh speakers and the related Work Programme for 2017-2021?**

There is no direct link between the Children (Abolition of Defence of Reasonable Punishment) (Wales) Bill and Cymraeg 2050 A million Welsh speakers. However, the development of the proposal is consistent with the vision outlined in Cymraeg 2050, where people are able to use the Welsh Language at every opportunity, with opportunities available everywhere.

3. **Describe and explain the impact of the proposal on the Welsh language, and explain how you will address these impacts in order to improve outcomes for the Welsh language.**

The consultation on the legislative proposals was published bilingually, along with the associated documentation of the Regulatory Impact Assessment, Children's Rights Impact Assessment and the Welsh Language impact Assessment, to ensure the language needs and requirements were considered appropriately. Welsh Government engaged with Mudiad Meithrin so they had an opportunity to engage and consider this work from a Welsh language perspective. Officials also discussed Welsh language terminology with interested parties to ensure that regional variations have been considered as terminology is quite complex in this area of work.

The potential impacts to the Welsh Language were explored during the formal consultation of the proposed legislation. The mandatory Welsh Language question was asked, exploring positive and adverse effects of the proposals on the opportunity to use the Welsh Language. The majority of responses indicated that the changes proposed by the Children (Abolition of Defence of Reasonable Punishment) (Wales) Bill will have a neutral effect on the Welsh Language.

Through discussions with stakeholders, a potential negative impact has been identified on Welsh speaking children. If a child is called as a witness in court, Registered Intermediaries (RIs) must be considered. RIs are used by the police and courts to help witnesses with communication difficulties give evidence in cases. RIs are recruited, trained and accredited by the Ministry of Justice. Welsh Government understands the Ministry of Justice carried out a recruitment exercise in October and December 2018. They subsequently confirmed in October 2019 there were 61 RI active in Welsh Police Force Areas with four RI with confirmed Welsh language proficiency.

RIs would not necessarily be used if there was unequivocal evidence, such as CCTV or a witness statement, as the child would not be required as a witness in these circumstances. If an RI is required, the child should be made aware without delay that this service is available in either Welsh or English. Currently, if the child elects to be accompanied by a Welsh speaking RI, the Welsh Language Act 1993 states that any individual has the right to speak Welsh in a court of law so this must be arranged. Following legislative change, any potential increase in cases may exacerbate the situation.

Following Royal Assent of the legislation, the Welsh Government intends to implement a comprehensive communications and raising awareness strategy, to communicate widely on the proposed change in the law. Consideration will be given as to how relevant advice and support can be given to parents and those acting in loco parentis, on positive parenting skills techniques including alternatives to physical punishment. All communication and support will be equally actively promoted through the medium of Welsh and English. We will continue to engage directly with Welsh medium groups including Mudiad Meithrin, the Mentrau Iaith and Merched y Wawr.