

Advice to Protect Children's Rights

The concluding observations for the UK from the United Nations Committee on the Rights of the Child



Llywodraeth Cymru
Welsh Government



Hello



➔ All children have rights, no matter who they are. These rights are in the United Nations Convention on the Rights of the Child (UNCRC).



The Welsh Government is committed to the UNCRC. We introduced the Rights of Children and Young Persons (Wales) Measure 2011. This law means Welsh Government Ministers:

- must consider children's rights in everything they do
- must promote the UNCRC to everyone in Wales.

Checking children's rights

There is a Committee on the Rights of the Child. It's a group of 18 people from all over the world. They check up on how countries around the world respect children's rights.



Every 5 years the UK including the Welsh Government have to talk to the Committee about the progress we are making on children's rights.



As part of their check on progress the Committee listens to children and looks at reports from them. A group of children and young people from Young Wales produced a report and visited the Committee in Geneva back in February 2023. They talked to them about important issues that matter to children and young people in Wales. The **Young Wales** Report said that some of the most important areas for children across Wales are:

i Young Wales — a group of children and young people who help Welsh Government by telling them what matters to them.

Cost of living



Mental Health and Wellbeing



Addiction and Substance Misuse



Equality, Diversity and Inclusion



➔ [Young Wales Report to the United Nations Committee on the Rights of the Child](#)



The Committee then wrote a report with a list of things they want us to do to improve, protect and promote children's rights — **their Concluding Observations Report.**



This booklet tells you more about the concluding observations for the UK and the steps the Committee thought we may need to take to protect children's rights in Wales.





1. Steps for Governments

We have to do as much as we can to promote and protect children's rights.



Things Governments could do

The law

Check all our laws support children's rights. If they don't, we should change them.

Brexit

Check how leaving the European Union has affected children's rights and protect them if we need to.

Making sure children have their rights

Develop policies and plans that make sure children have their rights. These plans should include how to help children who need extra support like children who live in poverty or children with a disability.

Children and young people should be involved in writing these plans.

There needs to be enough resources to carry out these plans.

Working together

Work with the other countries in the UK to protect and promote children's rights.

Money

Think about children's rights when we spend money.

Children should have a say in how money is spent.

Raising awareness and training

Plan how to raise awareness of children's rights. Children should be involved in writing this plan.

People working with children should have children's rights training.

Collecting information

Collect information better so we can understand how well children's rights are being supported and respected. This information should be used to help us protect children's rights.

Children's rights and businesses

Work with the UK Government and make sure companies respect children's rights, their health and the environment.

Support when things go wrong

When children feel that they don't get their rights, they should have safe, easy ways to make a complaint. Legal support should be available if they need it.

People like lawyers and judges should have training on children's rights.

Protecting all children

Everyone under 18 should be legally seen as a child, including 16-to-17-year-olds.



Links to UNCRC:

Article 4 The Government should make sure your rights are respected.

Article 42 Everyone should know about the UNCRC.

Article 44 The Government must report on how they protect your rights.



2. Steps to support the 4 general principles



The general principles help us understand all the other rights in the UNCRC.

Things Governments could do

Stopping discrimination

Discrimination — when someone is treated unfairly or bullied because of who they are.

Raise awareness and make it clear that discrimination is never okay.

Develop plans, projects and programmes that help stop discrimination.

Make sure children can get help if they are treated unfairly.

Develop any new laws needed to stop discrimination and hate crimes.

Listen to children and involve them.

Doing what's best for the child

Think about what's best for children when making decisions that affect them.

Make sure we (and other professionals) use the children's rights impact assessment tool and check how decisions will affect children's lives.

Right to life, survival and development

Stop children getting ill or dying because of things like poverty, discrimination or disability.

Make sure children have support for their mental health and wellbeing.

Respect for the views of the child

Make sure all children can express their views and have them taken seriously. We should promote participation and make sure professionals have training on children's rights.

Links to UNCRC:

Article 2 All children have these rights.

Article 3 Adults must do what is best for me.

Article 6 I should be supported to live and grow.

Article 12 I have the right to be listened to and taken seriously.



3. Steps to support children's rights and freedoms



All children have rights and freedoms that belong to them from birth. They don't have to do anything to get them.

Things Governments could do

Right to an identity

Make sure all children have freedom to express who they are and the identity they choose.

i Identity — the things that make you you, and how you see yourself — family life, culture, beliefs, ability, ethnicity, gender and lots more.

Involve children in plans that affect their right to an identity.

Freedom of expression and religion

Make sure:

- children are free to choose their religion or beliefs
- children feel free to express their religion and beliefs
- laws and policies don't treat some children unfairly or stigmatise them because of their beliefs.

i Stigmatise — seeing something as bad or to be ashamed of.

Children shouldn't be made to join in with school worship if they don't want to.

Joining groups and peaceful protesting

Make sure children have the freedom to join groups and speak up about things that matter to them like climate change. Laws and police policies shouldn't take away these freedoms.

Stop the use of mosquito devices (machines that make a high-pitched noise only children can hear) to stop children gathering.

Privacy

Make sure the police follow rules about when they can stop-and-search children.

Information

Make sure all children can get online and get information. No-one should be held back by things like poverty.

New laws may be needed to protect children's rights online.

Links to UNCRC:

Article 7 I have a right to a name and to belong to a country.

Article 8 I have a right to an identity, nationality and family relationships.

Article 13 I have the right to find out and share information.

Article 14 I have the right to have my own thoughts and beliefs and to choose my religion with my parents' guidance.

Article 15 I have the right to meet with friends and to join groups.

Article 16 I have the right to keep some things private.

Article 17 I have the right to get information in lots of ways, so long as it's safe.



4. Steps to keep children safe from violence and harm



Things Governments could do

⊗ Harming children

Change the law so harmful devices like tasers or plastic bullets can't be used on children or in crowds where children could be present.

Develop new rules to stop adults restraining children unless there's no other way to keep them safe.

i Restraining — holding a child in ways that stop them moving.

✋ Smacking

In Wales we have changed the law so physical punishment, like smacking, is illegal. We should check how that law is working, and make sure parents are getting support to develop their parenting skills.

👤 Abuse, neglect, sexual exploitation and abuse

Do everything we can to keep children safe from harm.
Make sure:

- there are enough resources and skilled professionals to spot when a child is at risk, investigate and act
- children who've been treated badly get support to recover.

No child should be made to feel like what happened was their fault.

👤 Safe from violence

Make sure all children are safe from violent people who could hurt them.
That includes gangs in the community.

⚠️ Harmful practices

The age of marriage has already been raised to 18 in England and Wales. We should develop plans that raise awareness and stop harmful practices. This includes:

- harmful practices that hurt girls — child marriages, female genital mutilation, and violence against women
- harmful practices that hurt LGBTQIA+ people — conversion therapies.

i LGBTQIA+ — lesbian, gay, bisexual, transgender, queer, questioning, intersex, or asexual.

Change the law so that nobody, can try to change a child's sexual orientation or gender identity until they are able to decide for themselves.

✔️ Links to UNCRC:

Article 19 I have the right to be protected from being hurt or badly treated.

Article 24 I have the right to good quality health care, to clean water and good food.

Article 28 I have the right to an education.

Article 34 Nobody should touch me in ways that make me feel uncomfortable, unsafe or sad.

Article 37 I have the right not to be punished in a cruel or hurtful way.

Article 39 I have the right to get help if I have been hurt, neglected or badly treated.



5. Steps to support family and other carers



Things Governments could do

Family

Help families by putting more money and resources into childcare services so places are free, or more affordable and also available in rural areas.

Young carers

Young carers — look after someone in their family who is ill or disabled.

Raise awareness of young carers so teachers and others can make sure they get the support they need.

Children in care

Sometimes a child can't live with their family because it's not safe or they can't meet their needs. Make sure children in care:

- have all the support they need
- are in accommodation that meets their needs
- have a Social Worker they get to know and trust.

Invest in services that can step in early and support families so children don't need to go into care.

Listen to children and involve them in plans and decisions about their lives.

Children with a parent in prison

Make sure judges think about a child when a parent is sentenced. All decisions should consider what is best for the child.

Children with disabilities

Make sure we treat children with disabilities fairly when we make decisions and help them have their rights.

Make sure they have a say in decisions that affect their lives and have their views respected.



Links to UNCRC:

Article 5 The Government should respect the right of your family to help you know about your rights.

Article 9 I have a right to live with a family who cares for me.

Article 10 I have the right to see my family if they live in another country.

Article 11 I have the right not to be taken out of the country illegally.

Article 18 I have the right to be brought up by both parents if possible.

Article 20 I have the right to special protection and help if I can't live with my own family.

Article 21 I have the right to have the best care if I am adopted.

Article 23 If I am disabled, I have the right to special care and education.

Article 25 If I am not living with my family, people should keep checking I am safe and happy.

Article 27 I have the right to have a proper house, food and clothing.

6. Steps to support health and welfare



Things Governments could do

Health and health services

Make sure all children have support from health services and don't have to wait.

Make sure all children can have a healthy, happy life, without being held back by things like bad housing, or poverty.

Children should have a say in decisions about their healthcare.

Diet and Nutrition

Make sure all children can have a healthy diet to help them grow and thrive.

Breastfeeding

Promote the benefits of breastfeeding and support mothers.

Mental health

Make sure children can get support from mental health services as quickly as possible and that we reduce waiting times.

Make sure these services have enough funding and resources.

Make sure children have a say in the support they get and planning these services.

Becoming an adult – adolescent health

Make sure children learn about sex and relationships in ways that are right for their age and respect everyone.

Make sure they can get the right information to:

- understand the risks of drugs and alcohol
- understand family planning, contraception, abortion and safe sex options.

Climate change

Make new laws to help reduce air pollution so children have healthy lives. We also need to:

- protect the environment
- make sure children have opportunities to learn about the environment and climate change
- involve and listen to children.

Standard of living

Do everything we can to end child poverty. That includes working with the UK Government to make sure families can get all the benefits they need and have more money to cover the rising costs.

Make sure children have a safe, warm, place to call home and don't face being homeless.

Links to UNCRC:

Article 6 I should be supported to live and grow.

Article 18 I have the right to be brought up by both parents if possible.

Article 24 I have the right to good quality health care, to clean water and good food.

Article 26 My family should get the money they need to help bring me up.

Article 27 I have the right to have a proper house, food and clothing.

Article 33 I should be protected from dangerous drugs (including any effects of a parent's drug use).



7. Steps to support education and other activities



Things Governments could do



Education

Make sure all children have the same opportunities to learn and enjoy activities.

Make sure the costs of school life — uniforms, trips and other things — don't stop children from learning or finishing school.

Make sure:

- all children learn about their rights and schools promote them
- all children are treated fairly and with respect
- no child is bullied or feels unsafe at school
- no child is restrained unless it's the only way to keep them safe
- no child is placed in isolation unless it's the only way to keep them safe
- no child is excluded from school unless it's absolutely necessary.

Stop unnecessary tests and exams that cause children stress.



Rest, leisure, and activities

Develop a plan so all children have the right to rest, play and enjoy activities no matter who they are, or where they live.

Involve children in developing this plan.

Make sure school curriculums include the right to play.



Links to UNCRC:

Article 28 I have the right to an education.

Article 29 I have the right to an education which develops my personality, respect for others' rights and the environment.

Article 30 I have a right to speak my own language and to follow my family's way of life.

Article 31 I have a right to relax and play.





8. Steps to support special protection measures



Things Governments could do



Children coming from other countries

Make sure all children have their rights including asylum-seeking, refugee and migrant children.

Work with the UK Government so laws and policies don't treat some children unfairly and stop them coming here to live.



Children without a regular country

Sometimes families move to Wales to be safe from war or other threats. Make sure they have their rights and support from services.



Child Trafficking

Child trafficking — when people take children away and force them to do something.

Do more to keep children safe from trafficking. Children who've experienced trafficking must get all the support they need to recover.



Child justice

When children under 14 do something wrong, we need to make sure they get help and support. They shouldn't be treated as criminals or judged as committing a crime.

Make sure 16- to 17-year-olds are treated like children, not adults. They should get help from the youth justice system and be treated fairly. They should not be held in police custody or overnight cells.

Make sure courts only take away a child's freedom when there's no other choice. Young people should never be sent to adult prisons.

Make sure professionals have training so they understand that children have rights, no matter what they do.



Links to UNCRC:

Article 22 If I am a refugee, I have the same rights as children born in that country.

Article 30 I have a right to speak my own language and to follow my family's way of life.

Article 32 I should not be made to do dangerous work.

Article 33 I should be protected from dangerous drugs (including a parent's drug use).

Article 35 I should not be abducted (taken away), sold or trafficked.

Article 36 I have the right to be kept safe from things that could harm my development.

Article 37 I have the right not to be punished in a cruel or hurtful way.

Article 39 I have the right to get help if I have been hurt, neglected or badly treated.

Article 40 I have the right to get legal help and to be treated fairly if I have been accused of breaking the law.



9. Steps to support the Optional Protocols



Since the UNCRC was written, the world has changed and children face different risks. The Committee has an extra set of rules called Optional Protocols.

Things Governments could do

Protecting children from being sold, child prostitution and child pornography

Make sure children are never sold and are safe from these crimes. That includes being safe when they are online.

Make sure children who are victims of these crimes get support to recover. Children should never be made to feel guilty or that what happened was their fault.

Protecting children from armed conflict

Young people aged 16 can join the UK army. The Committee thinks this needs to change to 18. We need to work with the UK Government and change this. Until then, young people under 18 should be able to leave the army if they want to, have support and are listened to.

Make sure children who come to Wales to escape war get all the support they need and have their rights.

Signing up

At the moment we (in the UK) have not signed up to the Optional Protocol on a communications procedure, the Committee want us to do that.



Next steps

Welsh Government will publish a response to the Committee's report later this year.

The next time the UK will report back to the Committee is 2030. Until then, we will keep doing everything we can to protect children's rights in Wales.