



## Children's Rights Impact Assessment (CRIA) Template

<b>Title / Piece of work:</b>	White Paper Consultation – 'Prevention of Offending by Young People'
<b>Related SF / LF number (if applicable)</b>	N/A
<b>Name of Official:</b>	Zoe Granville
<b>Department:</b>	Local Government and Communities
<b>Date:</b>	5 February 2014
<b>Signature:</b>	

## **Six Steps to Due Regard**



### **Step 1. What's the piece of work and its objective(s)?**

The assessment has been completed in relation to the White Paper consultation on 'Prevention of Offending by Young People'.

The proposed policy objectives within the White Paper consultation suggest the following would be addressed, with regard to youth justice:

- A statutory duty on Local Authorities to establish Regional Reintegration and Resettlement Partnerships to provide improved support for young people in the youth justice system, to increase collaboration between partners, Local Authorities and Local Health Boards, and to reduce reoffending;
- To create 'reintegration and resettlement broker' posts to establish and embed regional processes to improve reintegration and resettlement outcomes for young people;
- To identify a trigger point at which a young person should be brought to the attention of the Regional Reintegration and Resettlement Partnerships; and
- To coordinate support for those young people from a lead professional.
- Develop a plan for reintegration and resettlement for young people who are considered by the partnership, ensuring links are made to any existing established assessment and planning processes, such as health, social services, education and housing.
- Young people should be involved in their planning which should be 'person-centred', holistic and tailored to individual needs; it should be a flexible process which adapts to the changing needs of a young person.

## Step 2. Analysing the impact

The proposals within the White Paper consultation would positively affect many of the articles within the UNCRC as those proposals concern improvements and support for young people within the youth justice system. However, the articles as detailed below are those in which it will most positively affect.

The impact assessment completed also identified the following articles as being related to this piece of work:

Articles 1, 2, 3, 4, 12, 13, 25, 33, 36, 37 and 39

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

Article 1 – Everyone under 18 years of age has all the rights in this Convention: the proposed policy objectives concerning children/ young people in the youth justice system would help towards ensuring these children get help and support in a similar way to other children.

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 proposed objectives would ensure the convention applies to children within the youth justice system whatever their race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.

Article 3 – All organisations concerned with children should work towards what is best for each child: the proposed objectives would bring together services in the youth justice system, to ensure they are working to the needs of the child. It will also ensure the focus is on the child and not the behaviour.

Article 4 - Governments should make these rights available to children: the policy proposals in the White Paper would assist to enforce UNCRC rights for these children, they would not make all these available. However the Welsh Government does more generally ensure these rights are considered, and UNCRC assessments are conducted for new policy and legislation.

The White Paper Consultation will also be made available as a youth friendly version to ensure children and young people understand and provide their views.

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: there are some Resettlement Support Panels in place in Wales. These are a local way of co-ordinating the multi-agency delivery of resettlement support to all young people leaving custody by developing an individual support plan which is owned and resourced by a range of partners who all have a stake in positive outcomes for children and young people. The young people also input into their own plan, ensuring they can understand the proposals as this may affect them.

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: under these proposals a support plan would be put in place for these children and young people in the youth justice system. Information on their support and resettlement would be shared with them where appropriate in order to keep them informed of their support and to know what would happen going forward.

Article 25 - Children who are looked after by their local authority rather than their parents should have their situation reviewed regularly: if children are looked after there should be a support plan put in place, and monitoring should be conducted to ensure this plan is right for the child. The policy objectives propose to ensure this for children within the youth justice system.

Article 33 - The Government should provide ways of protecting children from dangerous drugs: the objectives could have a positive affect with regards to this as a substance misuse programme may be used for a child in the youth justice system if there has been a high risk identified.

Article 36 - Children should be protected from any activities that could harm their development: the proposals to identify those who are prolific offenders and prevent them from further offending and getting into custody could address this.

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: the aim of the proposed policy is ultimately to seek to keep children out of custody.

Article 39 - Children who have been neglected or abused should receive special help to restore their self respect: the proposed objectives would assist in identifying if help is needed, and the support services proposed will provide this assistance to the child, and help them to lead crime free lives.

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

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

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



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 might 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/)

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

