



Children’s Rights Impact Assessment (CRIA) Template

Title / Piece of work:	The Law Derived from the European Union (Wales) Bill
Related MAL number (if applicable)	
Name of Official:	Sian Brown
Department:	Office of the First Minister and Cabinet Office
Date:	01/03/2018
Signature:	

Please complete the CRIA and retain it for your records on iShare. You may be asked to provide this document at a later stage to evidence that you have complied with the duty to have due regard to children’s rights e.g. Freedom of Information access requests, monitoring purposes or to inform reporting to the NafW.

Upon completion you should also forward a copy of the CRIA to the Measure Implementation Team for monitoring purposes using the dedicated mailbox CRIA@wales.gsi.gov.uk

If officials are not sure about whether to complete a CRIA, they should err on the side of caution and seek advice from the Measure Implementation Team by forwarding any questions to our mailbox CRIA@wales.gsi.gov.uk

You may wish to cross-reference with other impact assessments undertaken.

[NB. All CRIAs undertaken on legislation must be published alongside the relevant piece of work on the WG website. All other CRIAs must be listed in the WG CRIA newsletter and must be made available upon request. Ministers are however, encouraged to publish all completed CRIAs.](#)

Six Steps to Due Regard



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

Background

On 13 July 2017, the UK Government introduced the European Union (Withdrawal) Bill¹ ("the EU (Withdrawal) Bill") in the House of Commons. The EU (Withdrawal) Bill repeals the European Communities Act 1972 and provides that on the UK's exit from the EU the entire body of EU law (subject to some specified exceptions) is incorporated into domestic law.

The Welsh Government agrees that legislation is required to provide stability and continuity as the UK withdraws from the EU. It is essential that clarity and certainty is provided for citizens and businesses during a period of unprecedented changes. A Bill enacted by the UK Parliament, for the UK as a whole, which respected the devolution settlement would be the best way to achieve this. However, when the UK Government introduced its EU (Withdrawal) Bill as the legislative vehicle to deliver this objective, it was clear that this was not its approach.

The Welsh Government, together with the Scottish Government, has sought to address their concerns by working with the UK Government to amend the EU (Withdrawal) Bill. In the absence of an agreement, the Welsh Government and Scottish Government jointly published a number of proposed amendments to the UK Bill that, if passed, would respect the devolution settlements. Those amendments were tabled, debated and voted on at Commons Committee stage but were not passed.

As the proposed amendments to the EU (Withdrawal) Bill sought by the Welsh Government were not passed and no meaningful amendments were brought forward by the UK Government, the Welsh Ministers remain unable to recommend that the Assembly gives its consent in relation to the EU (Withdrawal) Bill as it left the Commons.

The UK Government has indicated that it will be bringing forward amendments to the devolution aspects of the UK Bill at Lords Committee stage. The Welsh Government continues to work with the UK Government to seek an agreement on amendments to the

¹ <https://services.parliament.uk/bills/2017-19/europeanunionwithdrawal.html>

EU (Withdrawal) Bill but has had to prepare for the possibility that the Assembly withholds its consent. This preparation has included the development of the Law Derived from the European Union (Wales) Bill (“the LDEU Bill”).

The LDEU Bill has two main objectives. The first objective, consistent with the EU (Withdrawal) Bill, is to ensure that the law continues to function effectively on the UK’s withdrawal from the EU. The second objective is to ensure that the Assembly and Welsh Ministers are responsible for taking the necessary legislative steps in relation to EU law applying in relation to Wales in devolved areas.

Subject to the Assembly passing the LDEU Bill, it will provide powers for the Welsh Ministers, by regulations, to create a body of EU derived Welsh law. This is made up of provision on devolved matters contained in:

- Direct EU law,
- EU derived enactments, and
- Provision made under EU related powers.

As EU derived Welsh law is to be created by regulations made under the LDEU Bill, the Bill itself will not result in any immediate practical change. As a result, the LDEU Bill itself will not effect any changes to EU law. Any changes will be achieved by regulations made under the LDEU Bill which will only take effect at the point of the UK’s withdrawal from the EU.

However, as a general rule, the policy objective of the LDEU Bill is to provide that the same rules and laws apply in Wales on the day after exit as on the day before.

Subject to the LDEU Bill being passed by the Assembly, consideration will be given to what further impact assessments are needed as part of any programme of subordinate legislation under the Bill. The following analysis is therefore mainly focused on the provisions contained in the Bill, but does extend, as far as is possible, to the possible impacts of the programme of subordinate legislation made under it.

This impact assessment will be revisited (if necessary) as the LDEU Bill progresses through the National Assembly stages.

Step 2. Analysing the impact

EU DERIVED WELSH LAW

General

The main proposition in the LDEU Bill is to grant the Welsh Ministers powers to maintain the current rights and obligations applicable in Wales under EU law. The LDEU Bill itself is, therefore, not intended to have an immediate effect. It will be for the regulations made under the Bill to make the necessary legislative changes.

The Welsh Ministers’ powers under the Bill are specifically designed to be exercised to maintain continuity, to ensure that current rights and obligations are retained. However, some modification will be required to ensure the statute book can operate effectively.

There will be a degree of policy choices to be made in making these modifications but, again, the modifications must adhere to the overarching policy of securing continuity.

It is not possible at this time to identify and analyse the potential impacts on children and young people as a result of the regulations made under the LDEU Bill. However, the Welsh Government will undertake impact assessments, as appropriate, in the development of any regulations made under the LDEU Bill. Section 1 of the Rights of Children and Young Persons (Wales) Measure 2011 requires the Welsh Ministers, in exercising their functions (including making any regulations), to have regard to the United Nations Charter on the Rights of the Child (“the UNCRC”). Any impact assessments would therefore detail how the Welsh Ministers have had regard to the provisions of the UNCRC.

In general, the passing of the LDEU Bill is not envisaged to have an impact on the rights of children and young persons. However, set out below is an analysis of possible factors which could lead to some impact on children and young persons.

The Charter of Fundamental Rights – general approach

The approach taken in the EU (Withdrawal) Bill has influenced the scope of the powers and the provisions contained in the LDEU Bill to ensure that both Bills can operate alongside each other. This was particularly the case in relation to those provisions in the EU (Withdrawal) Bill which are of general application. One such provision is in relation to the Charter of Fundamental Rights of the European Union (“the Charter”). Clause 5(4) of the EU (Withdrawal) Bill provides that the Charter does not form part of domestic law on or after exit day.

On 5 December 2017 the UK Government published the *Charter of Fundamental Rights of the EU Right by Right Analysis*² which sets out the UK Government’s view of the effect of the provisions of the EU (Withdrawal) Bill which relate to the Charter. It states that, in the UK Government’s view, the Charter did not create any new rights and rather, it reaffirmed the existing legally binding fundamental rights, in a new and binding document³.

The Welsh Government has been clear in its position that the UK withdrawal from the EU should in no way lead to a dilution in human rights protections, including the rights of children and young people. However, to seek to promote clarity, stability and continuity, and to ensure that the LDEU Bill can operate alongside the EU (Withdrawal) Bill, the LDEU Bill does not substantially depart from the position on the Charter provided for in the EU (Withdrawal) Bill.

The LDEU Bill does not, therefore, make provision to incorporate the provisions of the Charter that would be within the Assembly’s competence. The LDEU Bill, unlike the EU (Withdrawal) Bill, does seek to maintain the interpretive value of the Charter and requires any question before the courts as to the validity, meaning or effect of any EU derived Welsh law to be decided, as far as is relevant, in accordance with the Charter.

² https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/664891/05122017_Charter_Analysis_FINAL_VERSION.pdf

³ See paragraph 5.

To go further and seek to incorporate the Charter under the LDEU Bill would be likely to be rendered ineffective by virtue of the operation of clause 5(4) of the EU (Withdrawal) Bill or would, at the very least, cast serious doubt on the validity and application of the provisions.

The Charter – impact on children and young persons

General

Consideration has been given to what impact, if any, that not incorporating the devolved provisions of the Charter under the LDEU Bill may have on children and young persons.

Article 51 of the Charter provides that the field of application of the Charter to Member States is limited to when they are implementing EU law. To maintain continuity with current rights and freedoms under EU law would, therefore, see the Charter only ever being relevant to EU derived Welsh law and not the law generally as it applies in relation to Wales in devolved areas.

The UK Government highlights that the majority of the rights contained in the Charter are based on similar rights secured by the European Convention on Human Rights (“the ECHR”). The rights of the ECHR are enshrined in domestic law by virtue of the Human Rights Act 1998 (“the HRA”). A criticism of this viewpoint is that the standing for bringing challenges is narrower and the remedies are weaker under the HRA compared to the Charter⁴.

The arrangements for devolution mean that these criticisms are not as relevant in relation to Wales. This is because of the nature of the powers of the Assembly as governed by the Government of Wales Act 2006, in particular section 108. It provides that a provision of an Act of the Assembly is not law so far as it is incompatible with the ECHR, in the exact same way as a provision of an Act of the Assembly is not law so far as it is incompatible with EU law, which includes the Charter. The standing for bringing challenges and the remedies available in respect of the legislation of the Assembly and the acts of the Welsh Ministers are the same whether on the grounds of incompatibility with EU law or with the ECHR.

Specific articles of the Charter

A number of the Articles of the Charter are directly or indirectly aimed at the rights of children and young persons. However, any negative impact would be mitigated by the current protections afforded to children and young persons under domestic law. Below is an analysis of the provisions of the charter which directly or indirectly relate to children and young persons.

These include:

- Article 14: right to education
- Article 21: non-discrimination
- Article 24: the rights of the child

⁴ The UK Parliament’s Joint Committee on Human Rights:
<https://publications.parliament.uk/pa/jt201719/jtselect/jtrights/774/774.pdf> see paragraphs 9 to 12.

- Article 32: prohibition of child labour and protection of young people at work

Article 14: right to education

1. *Everyone has the right to education and to have access to vocational and continuing training.*
2. *This right includes the possibility to receive free compulsory education.*
3. *The freedom to found educational establishments with due respect for democratic principles and the right of parents to ensure the education and teaching of their children in conformity with their religious, philosophical and pedagogical convictions shall be respected, in accordance with the national laws governing the exercise of such freedom and right.*

The right to education under Article 14 of the Charter is only applicable in the implementation of EU law⁵. A right to education, in all aspects, is enshrined in Article 2 of the First Protocol of the ECHR. Article 2 of the First Protocol provides that no person shall be denied the right to education and broadly replicates Article 14(3) of the Charter. An Assembly Act cannot contain provision that is incompatible with the ECHR⁶ with any such provision being unlawful. Similarly, the Welsh Ministers cannot make, confirm or approve any subordinate legislation, or do any other act, that is incompatible with any of the rights contained in the ECHR⁷.

The Rights of Children and Young Persons (Wales) Measure 2011 is also relevant. It requires the Welsh Ministers, when exercising their functions, to have due regard to the requirements of the UNCRC. The UNCRC also includes an Article on the right to education. Article 28 recognises the right of the child to education, in particular the availability of primary and secondary education, including general and vocational education.

There is also a domestic legislative framework which ensures the provision of education to children.

These elements of domestic law mean that the fact that the LDEU Bill does not enable the Welsh Ministers to make corresponding provision to Article 14 of the Charter will not have an impact on the access to education by children and young persons.

Article 21: non-discrimination

1. *Any discrimination based on any ground such as sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation shall be prohibited.*

Article 21(1) refers to discrimination, including on the grounds of age, being prohibited where Member States are implementing EU law.

⁵ See Article 51(1) which governs the field of application of the Charter.

⁶ Section 108(6)(c) of the Government of Wales Act 2006.

⁷ Section 81(1) of the Government of Wales Act 2006.

Article 14 of the ECHR provides that the rights and freedoms of the ECHR are to be secured without discrimination on a variety of grounds listed in Article 14, which includes on the ground of any 'other status'. The courts have confirmed that 'other status' includes age. Any provision of an Act of the Assembly or secondary legislation made by the Welsh Ministers is unlawful so far as it is incompatible with the ECHR. Any other act of the Welsh Ministers is also unlawful if it is incompatible with the ECHR.

The Equality Act 2006 and the Equality Act 2010 provide a domestic legislative framework to prevent discrimination. Age is a prohibited characteristic under the Equality Act 2010 and the Act operates to prohibit discrimination on the grounds of age. The Equality Act 2010 also imposes a duty on the Welsh Ministers, in the exercise of their functions, to have regard to the need to eliminate discrimination and to advance the equality of opportunity.

Article 2 of the UNCRC makes provision relating to the protection of children from discrimination. It includes that the rights of the UNCRC are to be ensured and respected without discrimination, including on the basis of age. The Welsh Ministers are under a duty to have regard to this in the exercise of their functions.

Article 24: the rights of the child

1. Children shall have the right to such protection and care as is necessary for their well-being. They may express their views freely. Such views shall be taken into consideration on matters which concern them in accordance with their age and maturity.

2. In all actions relating to children, whether taken by public authorities or private institutions, the child's best interests must be a primary consideration.

3. Every child shall have the right to maintain on a regular basis a personal relationship and direct contact with both his or her parents, unless that is contrary to his or her interests.

According to the explanations⁸ published alongside the Charter, Article 24 is based on the UNCRC, in particular, Articles 3, 9, 12 and 13. The Welsh Ministers must have regard to these rights in the exercise of their functions.

Domestic law reflects the protections laid out in the UNCRC. In Wales, a legislative framework, made up of legislation including the Children Act 1989, the Children Act 2004 and the Social Services and Well-being (Wales) Act 2014, operates to ensure the well-being of children is safeguarded.

Article 8 of the ECHR also ensures the right to respect for private and family and is of particular relevance to the relationship between parent and child. Any infringement of this right by a provision of an Act of the Assembly or by any act of the Welsh Ministers would be unlawful.

⁸ <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32007X1214%2801%29> The 'explanations' were originally prepared under the authority of the Praesidium of the Convention which drafted the Charter. They have been updated to reflect revisions to the text of the Charter and changes to EU law. The explanations do not have legal status but are a valuable tool of interpretation intended to clarify the provisions of the Charter.

Article 32: prohibition of child labour and protection of young people at work

The employment of children is prohibited. The minimum age of admission to employment may not be lower than the minimum school-leaving age, without prejudice to such rules as may be more favourable to young people and except for limited derogations.

Young people admitted to work must have working conditions appropriate to their age and be protected against economic exploitation and any work likely to harm their safety, health or physical, mental, moral or social development or to interfere with their education

Based on Council Directive 94/33 on the protection of young people at work, this Article makes provision in relation to the employment of children and young people. Directive 94/33 has been fully implemented in the UK, for example by the Children and Young Persons Act 1933 and the Children Act 1989.

Article 32 of the UNCRC, to which the Welsh Ministers must have regard in the exercise of their functions, also makes provision in relation to the rights of children to be protected from economic exploitation and in relation to employment of children generally.

Consultation

The Assembly has agreed that the LDEU Bill is to be treated as an Emergency Bill. Because of the emergency nature of the Bill it has not been possible to undertake consultation with stakeholders nor to provide a comprehensive list of those that will be impacted.

However, the LDEU Bill will not have any immediate impact on people with protected characteristics. Any impact of the Bill will be achieved by way of the regulations made under the Bill. Where appropriate and necessary, an analysis of the impact of the regulations being made under the Bill will be undertaken. This will include, as appropriate, the involvement of people or consultation with people with protected characteristics. The level and nature of any such engagement will be dependent on the regulations in question. The main policy objective of the LDEU Bill is to secure continuity. The powers to make regulations in the Bill have therefore been designed to be exercised in a manner that will ensure that, as far as is possible, the rules and laws that apply before exit continue to apply after

Conclusion

The decision to leave the EU has been taken. The LDEU Bill is intended to make the necessary legislative changes to ensure that the statute book can continue to operate effectively on exit. The necessary legislative steps will be taken in regulations made under the Bill and the Bill itself makes no legislative changes and therefore will have minimal impact on children and young persons.

The only potential impact on children and young persons could be as a result of the powers under the Bill not extending to making corresponding provision in domestic law to the provisions of the Charter which relate to devolved matters. However, any potential impact is unlikely and would, in any event, be minimal because of the existing

protections afforded under domestic law as set out in the analysis above. This, along with the requirement for EU derived Welsh law to be interpreted in accordance with the Charter and the fact that the Welsh Ministers will be required to have regard to the UNCRC in exercising the powers under the Bill, will mean that the rights of children and young persons will not be negatively impacted.

This will be kept under review as the Bill is implemented but also after the UK has withdrawn from the EU. Any gaps identified in the protections or rights afforded to children could then be addressed.

POWER TO MAKE PROVISION CORRESPONDING TO EU LAW AFTER EXIT DAY AND WELSH MINISTERS' CONSENT TO SUBORDINATE LEGISLATION WITHIN THE SCOPE OF EU LAW

It is not envisaged that the provisions in sections 11, 13 and 14 of the LDEU Bill will have an impact on children and young persons. However, any regulations made under section 11 and any subordinate legislation the subject of the consent requirement under sections 13 and 14 could have an impact on children and young persons. As required under the Rights of Children and Young Persons (Wales) Measure 2011, the Welsh Ministers, in exercising these functions, will have regard to the provisions of the UNCRC and will assess any possible impact on children and young persons on a case by case basis.

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

The Articles of the UNCRC most relevant to the provisions of the LDEU Bill are referred to in the analysis above. They are the Articles which are replicated in the Charter, namely Articles 2, 3, 9, 12, 13, 28 and 32. The LDEU Bill requires EU derived Welsh law to be interpreted in accordance with the Charter and, therefore, indirectly the Articles of the UNCRC specified.

The Welsh Ministers will be required to have regard to the UNCRC in making any regulations under the LDEU Bill. This will mean that the rights of children and young persons will be considered in detail in taking the necessary legislative steps to ensure the continuity of rights and obligations under EU law. The impact of the LDEU Bill, through its implementation, will be kept under review as regulations are made under the Bill.

The alternative of seeking to incorporate the Charter in full in domestic law was considered. However, the provision in clause 5(4) of the EU (Withdrawal) Bill which provides that the Charter does not form part of domestic law on or after exit day means that such an approach would be ineffective.

Step 4. Advising the Minister and Ministerial decision

The main proposition in the LDEU Bill is the provision of a legal framework to enable the retention of the rights and obligations contained in EU law on the UK's exit from the EU. Ministers have been advised that the LDEU Bill will have minimal impact on children and young people. Subject to the Bill being passed by the Assembly, the Ministers will be further advised on the progress of implementation work under the Bill, including any impacts that regulations being made under the Bill will have on children and young persons. This will include submitting advice to Ministers on the conclusions of impact assessments as appropriate.

Step 5. Recording and communicating the outcome

As this impact assessment is related to legislation it will be published alongside the LDEU Bill.

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

The LDEU Bill provides a number of regulation-making powers for Welsh Ministers. Each time the Welsh Ministers exercise these powers they will be required to have regard to the UNCRC and therefore consideration will be given to the extent to which each set of regulations impacts on children and young persons.

Budgets

<p>Does the piece of work have any associated allocation of budget?</p> <p>Can you identify how much of this budget will be used for children and young people?</p> <p>It is important that where any changes are made to spending plans, including where additional allocations or savings have been made, that this has been assessed and evidenced as part of the CRIA process.</p> <p>Has any additional spend been identified to ensure children and young people have been given an opportunity to contribute to the piece of work and have their opinions heard? If so, how much?</p>	<p>No</p> <p>No</p> <p>No</p>
<p>Please give any details:</p> <p>The LDEU Bill is designed to provide a legal framework to enable the retention of the rights and obligations contained in EU law on the UK's exit from the EU, including the rights of children and young persons. The Bill does not have a specific budget attached to it. However, regulations will be made under the Bill which come with associated administrative costs, as set out in the Regulatory Impact Assessment. It is not known at</p>	

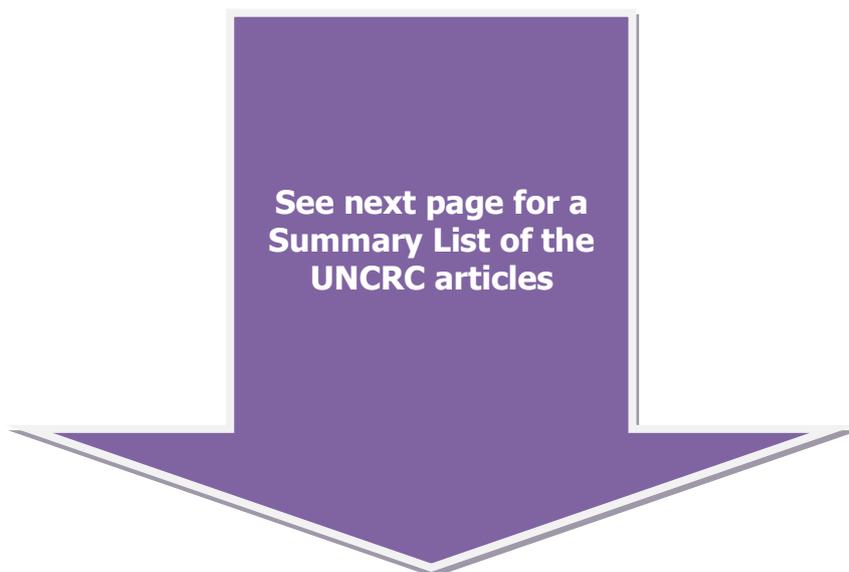
this stage how much of the costs will be specifically related to the rights of children and young persons.

The Welsh Government will undertake impact assessments, as appropriate, in the development of any regulations made under the LDEU Bill. This will include, where appropriate, the specification of budgets related to the rights of children and young persons.

Monitoring & Review

Do we need to monitor / review the proposal?	No
If applicable: set the review date	

Please forward a copy of this CRIA to CRIA@wales.gsi.gov.uk for monitoring purposes



THE UNITED NATIONS CONVENTION ON THE RIGHTS OF THE CHILD

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

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/

Clc - The National Information and Advice Service for Young People www.clconline.co.uk/news/

