

A. CHILDREN'S RIGHTS IMPACT ASSESSMENT

This impact assessment should be read in conjunction with the Equality Impact Assessment, Health Impact Assessment and Socio-economic Impact Assessment.

Policy Aims and Intended Effects

A ban on the supply of single-use vapes in Wales is due to come into effect on 1 June 2025 and will align with bans being introduced in England, Scotland and Northern Ireland in 2025.

Single-use vapes

Vapes are battery-powered devices that heat a liquid (usually nicotine, although non-nicotine liquids are also available) to produce an aerosol that is inhaled. They are sold in both reusable and single-use form, with the latter being classified as being neither rechargeable nor refillable and is then discarded when it runs out of charge or e-liquid. Single-use vapes typically come ready-filled with 2ml of e-liquid (approximately 600 'puffs') and a maximum of 2% nicotine.

Our legislation will only ban single-use vapes and this includes both the nicotine and non-nicotine versions. Reusable vapes will continue to be available. Our legislation is being introduced to address the environmental concerns associated with the significant production and inappropriate disposal of single-use vapes.

Primary aim – Addressing environmental concerns

The rise in popularity of single-use vapes, particularly amongst young people, has led to a substantial increase in the amount of waste being generated and resources used to make these products. Subsequently, there has been growing concern over their environmental impact. In 2023, research by [Material Focus](#) estimated that over 5 million single-use vapes were being either littered or thrown away in general waste every week in the UK, almost four times as much as the previous year. Only 17% of those surveyed for the study said they recycled their vapes.

When single-use vapes are littered, they introduce plastic, nicotine salts, heavy metals, lead, mercury and flammable lithium-ion batteries into the [natural environment](#). The chemicals can end up contaminating waterways and soil and can also be toxic and damaging to wildlife. When littered the plastic casing can grind down into harmful microplastics. Surveys undertaken by [Keep Wales Tidy](#) (KWT) found a sharp rise in the presence of single-use vapes in our environment. Between 2023/24, single-use vapes were found on 10.2% of streets across Wales, with an estimated 6700 vapes littered on our streets at any one time.

Vapes, like other electricals, should not be placed in a general waste bin especially as they can pose a fire risk due to their lithium batteries. [Research](#) has estimated lithium-ion batteries are responsible for approximately 48% (over 200) of all waste fires occurring in the UK each year. Single-use vapes are also made in such a way that they are difficult to recycle.

Other environmental impacts from the manufacturing single-use vapes are also of concern. A typical single-use vape contains plastic, copper, cobalt and a lithium battery. Lithium and cobalt are essential to the production of electronic devices, batteries and energy generation. The increased demand for single-use vapes has led to an increased demand for these critical raw materials. [Research](#) has estimated the total amount of single-use vapes purchased every year contain enough lithium to provide batteries for 5,000 electric vehicles. This is a waste of valuable resources in a product with a short lifespan, that is poorly recycled and has a reusable alternative readily available. As well as a loss of resources in the economy, there are also environmental impacts with raw material extraction, single-use vapes production and manufacturing. Most notably, this includes greenhouse gas emissions and water consumption generated in their manufacture. By removing these products off the market, the Welsh Government will be taking direct action to commitment to address climate change and the climate emergency.

Additional health benefits

In addition to the significant environmental impact, single-use vapes are understood to be driving recent increases in youth vaping. Data shows the number of [children and young people using vapes has tripled](#) in the past three years. Due to their nicotine content and the unknown long-term harms, vaping carries a risk of harm and addiction for children. In Wales, it's estimated [that 5% of secondary-aged learners](#) use vapes on a weekly basis with single-use vapes the most [common type of device](#) used by children and young people.

The Chief Medical Officer for Wales Annual Report, [Shaping Our Health](#), published November 2023, highlights that *“whilst it is true that vapes are still relatively new and the long-term impact of their use is still developing, it is clear that caution must be taken in order to protect children and young people and non-smokers as we face a real danger in the UK of creating a new generation of nicotine-addicted young people unless we take urgent action. We must therefore make sure that we learn from our experience with tobacco and ensure we work as hard as possible to prevent the use and uptake of vapes by children and young people”*.

Wider policy aims

The Welsh Government has an ambitious sustainability agenda and is dedicated to addressing environmental pollution. Although recycling rates in Wales are internationally

recognised, plastic waste still represents a problem. Single use plastic items make up a significant proportion of litter on our streets, parks and seas. Eliminating single use plastic items from the waste stream and preventing such products from entering the environment in the first place, is a key priority in Wales. The objective is enshrined in wider Welsh Government goals and ambitions, primary legislation and strategies.

[The Programme for Government 2021-2026](#) sets a commitment to “Embed our response to the climate and nature emergency in everything we do”. Under this encompassing pledge, there is a specific commitment to “Legislate to abolish the use of more commonly littered, single use plastics”.

The introduction of a ban on the availability of these unnecessary problematic products forms part of a package of wider measures being taken forward by the Welsh Government. These measures aim to reduce the negative impact littering, plastic pollution and climate change have on our environment and the health of children and young people, who may be exposed to the harms of nicotine addiction, toxic substances, and environmental waste from single use vapes. The policy also aims to prevent the normalisation of vaping and smoking among children and young people.

We aim to spark a cultural change where unnecessary waste is prevented, and discarded materials are thought of as resources rather than waste. The introduction of these proposals is a key step in our phased approach to shift away from our throwaway culture, by removing these products from the supply chain we will help prevent this form of pollution from occurring in the first place. It will also encourage businesses to move towards making more reusable, more easily recyclable and less environmentally harmful alternatives. The proposals will also help to increase consumer awareness of the harm these products have on the environment.

Gathering evidence and engaging with children and young People

Consultation on proposals

The Welsh Government, along with the Scottish Government, UK Government (UKG) and the Department of Agriculture, Environment and Rural Affairs in Northern Ireland published a four nations consultation on *Creating a smokefree generation and tackling youth vaping* which ran from October-December 2023. The consultation included a range of proposals, including consideration of prohibiting the sale and supply of single-use vapes and other measures to reduce their environmental impact.

The consultation included five questions relating to proposals to restrict the supply or sale of single-use vapes. The consultation received 27,921 responses and 1,018 of these were from Wales.

The four nations [consultation response](#) showed clear support for restrictions on the sale and supply of single-use vapes. Respondents were mostly in favour of the proposed measures reduce littering of single-use plastic products as well as to tackle youth vaping. For those who disagreed with the ban, concerns included impacts on smoking cessation programmes and a desire to focus on improving waste management rather than introducing bans.

All engagement adhered to our commitments under the World Health Organisation Framework Convention on Tobacco Control (FCTC) Article 5.3. This ensures our tobacco control policies are protected from commercial and other vested interests of the tobacco industry.

[Overview of Welsh responses](#)

Regarding the environmental impacts, respondents to the consultation were concerned about the waste of resources due to the lack of recycling facilities available, and the harm that mining of lithium for vape batteries had on the environment. Concerns regarding the increase in plastic waste, harmful chemicals leaching into the environment and the risk from the fires due to the incorrect disposal of single-use vapes were also raised. Support for the introduction of a ban also focused on concerns that children and young people are able to access single-use vapes and their potential harmful effects on health. There was a strong emphasis on enforcement to stop the sale of single-use vapes being sold to children and young people, as well as a potentially negative impact on children and young people that are nicotine dependent (i.e. reducing access to a product which this group are more likely to use) which, without adequate support, could have a negative impact on learning and well-being as a result of no longer being able to access single-use vapes.

[Children in Wales](#) (CiW) considered there was sufficient evidence outlining the detrimental impact single-use vapes have on the environment and that a complete ban on single-use vapes should be part of a suite of measures to address the wider issue of youth vaping.

Responding to the consultation, [The Children's Commissioner for Wales](#) said *“Vaping is currently one of the top issues raised with me by children and young people. Children and young people of all ages, including primary-aged children, are worried because of the health impact, the environmental impact, and vaping’s huge popularity and the peer pressure to vape. I would fully support a ban on disposable single-use vapes, and look forward to hearing about how children and young people themselves can shape further solutions to this issue”*.

Public Health Wales responded to the UK consultation stating “*The substantial rises in vaping amongst children and young people in Wales in recent years coincide with the widespread use of disposable vapes and there is a clear consensus that the availability and marketing of these devices specifically has driven these rises as they offer a cheap, easy to use and widely available introduction to vaping. In addition to the link between availability of disposable vapes and youth vaping, there are also clear concerns over the environmental impact of disposable vapes. Increases in vape litter are reported as well as issues with devices catching fire in waste and the introduction of chemicals and electrical waste into the environment. We therefore believe that restrictions on this category of vapes are essential for a range of public health reasons*”.

Other responses from individuals based in Wales followed a similar theme:

“They are destroying the environment as they are non-recyclable, they should be made to be recyclable at the bare minimum as a battery goes to waste every time one is purchased, if we are currently banning plastics why is banning disposable vapes any different? If anything it's worse”. **(Individual response)**

“Because of the rubbish when thrown away, and their effect on the environment like cigarette butts”. **(Individual response)**

“For simple environmental reasons, they are wasteful”. **(Individual response)**

“They are dangerous, and kids are just dumping them in street for cars to drive over. They are still charged, and multiple vehicles drive over it, many are outside schools partly crushed also damaging to environment and dangerous for council workers to handle damaged waste. Vapes should not be allowed full stop in my opinion if you care so much for planet and people health”. **(Individual response)**

Targeted engagement with children and young people in 2024

We would like children and young people to play a prominent role in driving the transition to a net zero Wales and more circular economy as set out in our [Beyond Recycling](#) strategy. We are committed to taking further action to reduce the environmental impacts of unnecessary single-use plastic to help meet our ambition of a litter and fly-tipping free Wales. We also want to harness the passion and enthusiasm of our young people utilising the levers at our disposal such as our environmental education programmes, to ensure we involve children and young people early in our future thinking and influence positive behaviour change and creative thinking amongst our next generation.

Children and young people have profoundly altered the level of awareness of and concern about the environmental impacts from single-use plastic litter, recycling and climate change across society, completely changing the terms of the debate. The most challenging test for our plans is to meet the expectations of children and young people

who will bear a far greater burden of the costs and impact on our environment than anyone in a position of power today.

Initiatives across Wales support young people to take action to respond to various environmental concerns, including issues such as the climate crisis. The Office of the Future Generations is providing platforms to ensure young people are supported and their voices heard across Wales. The [Eco-Schools programme](#) is a platform the Welsh Government has to engage directly with children and young people to develop sustainable behaviours and deliver climate change and natural resource priorities. We also support children and young people's participation through grant funding Children in Wales to run Young Wales, Welsh Government's primary participation model to bring the views of children and young people into policies, programme and legislation development.

Following the closure of the full consultation in December 2023, we conducted targeted engagement directly with children and young people through online surveys to further explore the impacts our proposals would have on them and to respond to any queries.

On the 13 July, at a CiW's Social Justice and Climate Change session, children and young people engaged in discussions about the Welsh Government's proposal to ban problematic single use plastic products, including vapes, and the impacts they had on children and young people. Through interactive activities and resources, the session encouraged open dialogue, fostering critical thinking and an opportunity for young people to express their opinions, and respond to a Welsh Government consultation exploring impacts on children and young people. CiW also created a survey for young people to participate in at their summer residential week.

The Welsh Government also produced an online survey regarding the proposed ban on problematic single use plastic products, including vapes. An online survey was shared with [Eco Schools](#) for children and young people to complete via social media, aimed at High School students. The policy background and questionnaire were also shared, in hard copy format, with 14–18-year-old children and young people at the '[Our Earth, Our Future](#)' conference in July.

Summary of responses

Twelve responses were received, their responses are summarised:

- 10 responses (83%) agreed prohibiting vapes would have a positive impact on the environment.
- 2 responses (17%) thought the ban on single-use vapes **would** lead to young people taking up smoking as vapes are an alternative to smoking. 7 responses (58%) thought the ban on single-use vapes **would not** lead to young people taking up smoking due to the cost of cigarettes, that they are harder to obtain, more harmful, and difficult to conceal due to the smell. Also, underage smoking is prohibited by law. Respondents also considered most young people vape for the flavours, which cigarettes do not have. They

also considered that some may switch to using [SNUS](#). 3 responses (25%) were unsure whether the ban on single-use vapes would lead to young people taking up smoking but considered it was possible. They also thought it may encourage young people to use reusable vapes as the closest alternative to single-use vapes.

- 10 (83%) responses – 8 (80%) were aware of the support available to young people who want to quit vaping, but this was limited to support available at school, which they considered not all young people may be aware was available to them. They were unaware of any support available elsewhere due to the continued number of vapes shops opening. 2 responses (20%) were not aware of the support available to young people who wanted to quit vaping. Respondents witness lots of young people vaping with no intervention.
- 2 responses (17%) - considered they would not be personally impacted by a ban on single-use vapes but considered others could be greatly impacted.
- 10 (83%) responses considered the Welsh Government should communicate with children and young children through presentations that set out the harm to the environment, health and wildlife caused by single-use vapes/single-use plastic products. Also, to ensure alternative, sustainable more attractive products are available.

Future engagement with children & young people

Following the concerns raised on the impacts of the bans on children and young people during the 2023 consultation and responses received from Eco-Schools, the Welsh Government determined further engagement with children and young children was required to share policy information on the bans, and to provide information to children and young children regarding the smoking cessation support available to them.

Therefore, the Welsh Government commissioned [Youth Friendly](#) to produce ‘youth friendly’ versions of our policy proposals and questionnaires to continue to engage with children and young people through 2024/25. This will ensure the views of children are considered and reflected in the final design and implementation of the ban. This includes when the ban is reviewed and evaluated to assess its impact and effectiveness. Involving children and young people early in our future thinking will influence positive behaviour change and creative thinking amongst our next generation. A revised Children’s Rights Impact Assessment will be published in March 2025, to include these findings.

Analysing the evidence and assessing the impact

The evidence that we have documented has reinforced the need to take action against the use of single-use vapes to eliminate their environmental impact. Whilst the primary objective is on environmental grounds, it is clear the ban will also have a positive health impact on children and young people. Due to the range of environmental issues associated with single use vapes, the Welsh Government has agreed with the UK Government (legislating for England), the Scottish Government and Northern Ireland officials to introduce legislation to prohibit the sale and supply of single-use vapes.

Impacts on Children and Young People

Positive impacts

The ban on single vapes could have several positive impacts on children's rights, especially on their right to health, education, and a clean environment. Some of the possible benefits are:

- Through engagement with children and young people it is clear they understand the positive impact their actions and decisions have on environmental issues such as litter and waste. They show enthusiasm at the ability to become more sustainable and ethical, demonstrating an understanding of the impact their choices and values have on their environment and communities. For example, they often choose to use readily available alternatives to plastics or non-single use items. Engaging on these issues is empowering for children and young people and helps them to also understand how these proposals will impact on them and others.
- Tackling our over-use of single-use plastics is an issue which has been championed by many young people. Our proposals aim to build on this. We want to change consumer behaviour towards using fewer single use items and enhance our global reputation as an exemplar in recycling. Climate change has been identified as one of the biggest threats facing our future generations; implementing these proposals will have a direct positive impact on protecting our environment, health and well-being in the short term and for future generations.
- The ban will reduce the amount of litter, specifically single-use vapes and the associated packaging, which is a growing blight on our communities across Wales, from our bustling towns and cities to our beautiful coastlines to our stunning rural landscapes. However, clearing litter from rural locations in particular can often prove logistically difficult due to their remote locations and challenging terrain, for example mountainous areas, such as on Yr Wyddfa (Snowdon), a popular local beauty spot often visited by families, where they have reported that *“littering of single-use vapes is becoming a huge issue with the number of single-use vapes adding to the already unmanageable litter situation with volunteers collecting a heartbreaking amount of this waste”*. Therefore, our proposals will have a positive impact on this issue by immediately reducing the amount of single-use vape products littered and a long-term positive impact of reducing the amount of plastic and other toxic substances polluting the environment.
- [By banning single-use vapes we will also be having a positive impact on the longer-term environment for children and young people.](#) The manufacturing and

transportation of single-use vapes contribute carbon dioxide and other greenhouse gas emissions which contributes to climate change.

- Our proposals will also contribute towards ensuring more cleaner green and natural spaces like beaches, forests, parks and countryside. This will have the potential benefit of improving mental and physical well-being as children and young people will be encouraged to enjoy their local environment more, leading to greater social cohesion, socialising and interacting with others in their community.
- Once plastics enter the environment, they do not disappear but break down into increasingly smaller particles called microplastics. Microplastics can now be found in the most remote parts of the world, including the [Arctic](#) and [deep sea sediment](#). Recently, microplastics were detected for the first time in [Antarctic Snow](#), [rainwater](#) and even [human blood](#). A growing body of [research](#) shows that plastic is not only filling the world's oceans and wilderness regions, but also invading our bodies through the air we breathe, the water we drink and the food we consume. A new study has shown that microplastics — tiny plastic particles smaller than 5 mm but bigger than 1 micron — are even present inside human placentas, posing a potential risk to fetal health and development. However, further studies and evidence are required to determine the scale of this risk. The introduction of our proposals will have a positive impact by immediately reducing the number of plastic products littered, and a long-term positive impact of reducing the amount of plastic accumulating in our environment. This will reduce the negative impact littering and plastic pollution have on our environment and our health and well-being, ensuring the most basic health requirements are provided to children and young people: clean air and safe water.
- Littering of e-liquid containers from vapes poses a particularly serious threat of environmental pollution because they can contain high concentrations of residual nicotine. Besides nicotine, e-liquids contain numerous additives for flavouring, many of which are known to be toxic or have suspected or unknown toxicities. While the level of toxicants in vape vapours may be lower than in combustible tobacco smoke (as they do not include tobacco combustion products), vapours from vapes are potent sources of environmental air pollution, particularly aldehydes and carbon monoxide. However, it is acknowledged these risks will still persist if current users switched to reusable alternatives.
- Discarded vapes can also be a source of metal contamination in the environment, both directly as the result of the breakdown of electronic components and indirectly via contaminated e-liquids. Common metals in the components of vape products include aluminium, barium, cadmium, chromium, copper, iron, lead, nickel, silver, tin, and zinc. In leaching tests of vape components, lead in the resultant leachate exceeded US regulatory thresholds for hazardous-waste designation by up to ten-fold. The ban

would, therefore, help to reduce the amount toxic chemicals leaching into the environment from these products.

- The ban will help reduce the exposure of children to nicotine, which is a highly addictive and harmful substance that can affect their brain development, mood, concentration, memory and learning. Nicotine can also increase the risk of cardiovascular, respiratory and mental health problems in later life. The ban could also reduce the exposure of children to other chemicals and toxins that are present in single-use vapes, such as propylene glycol, glycerin, flavorings, metals and carcinogens. These substances can cause irritation, inflammation, allergic reactions, and damage to the lungs, throat, mouth and teeth. Some of them can also affect the reproductive system and the immune system.
- The ban could prevent children from becoming addicted to vaping, and from transitioning to smoking conventional cigarettes, which are even more harmful to their health and well-being. According to Public Health Wales, around 10% of 15-16 year olds in Wales have tried vaping, and 2% of them vape regularly. Vaping can act as a gateway to smoking, as it can normalise the behaviour, increase the curiosity and reduce the perceived risk of tobacco use.
- The ban will enhance the education and awareness of children about the dangers of vaping and smoking, and the benefits of living a healthy and smoke-free lifestyle. The Welsh Government, along with schools, parents, health professionals and media, could use the ban as an opportunity to provide accurate and reliable information to children, and to encourage them to make informed and responsible choices about their health and well-being.
- [The ban could improve the attendance and performance of children in school, as they would be less likely to skip classes](#), get distracted, or experience withdrawal symptoms due to nicotine addiction. The ban could also reduce the peer pressure and bullying that some children may face from other children who smoke or vape and create a safer and healthier learning environment for all children.

Negative Impacts

However, the ban on single-use vapes could also have some negative impacts on children's rights, especially on their right to expression, participation and leisure. Some of the possible drawbacks are:

- When inhaled, nicotine is a highly addictive drug. The addictive nature of nicotine means that a user can become dependent on vapes when they use them regularly. Giving up nicotine can be very difficult because the body has to get used to functioning without it. Withdrawal symptoms can include cravings, irritability, anxiety, trouble concentrating, headaches and other mental and physical symptoms.

- The ban could violate the right of children to express their views, feelings and wishes on a matter that affects them, and to have their views considered and taken seriously. The ban could be seen as a paternalistic and authoritarian measure that disregards the opinions and preferences of children and imposes a one-size-fits-all solution that may not suit their needs and circumstances.
- The ban could affect the right of children to relax, play and take part in a wide range of cultural and artistic activities. Vaping could be seen as a form of recreation, enjoyment and self-expression for some children, who may use it as a way of coping with stress, boredom, peer pressure or social isolation. Vaping could also be part of the culture and identity of some children, who may associate it with certain music, fashion, art or subcultures. The ban could deprive children of these sources of pleasure, creativity and belonging, and force them to find alternative outlets that may not be as satisfying or accessible.

Mitigating Actions

To address the potential negative impacts of the ban on children's rights, and to maximize the potential positive impacts, the following mitigating actions will be taken by the Welsh government and other stakeholders:

- The Welsh Government has conducted a comprehensive and inclusive consultation with children and their representatives, such as youth councils, charities and schools to seek their views, feelings and wishes on the ban, and to explain the rationale and evidence behind it. We will also ensure the views of children are considered and reflected in the final design and implementation of the ban. This includes when the ban is reviewed and evaluated to assess its impact and effectiveness.
- To ensure clear and consistent information and guidance is provided to children, parents and teachers, the Welsh Government commissioned Public Health Wales to produce [Information and Guidance on Vaping for Secondary-aged learners in Wales](#). The guidance, which was published September 2023, also meets a recommendation the [Children's Commissioner for Wales Report 2022-23](#), to publish clear guidance for schools for the regulation of vaping. The guidance is designed to help schools and other education settings respond to vape use. It aims to help learners understand the impact of vaping on their health and well-being, to provide evidence-based information for teachers and provides information on ways to embed teaching and learning on vaping into the new Curriculum for Wales. The guidance also includes information on ways schools can respond to vape use in their setting and how to support young people who may be nicotine dependent and wish to stop.
- Health and Well-being is a mandatory part of the new Curriculum for Wales, it gives teachers the flexibility to adapt their lessons to suit issues and challenges facing their

pupils. This should include learning about the health and well-being impacts of vaping and vaping devices as part of broader substance misuse education. The guidance also includes advice for schools to expand their smoking and behaviour policies to address the rise in vaping. Schools are encouraged to develop this with learners, staff and their wider school community. All secondary schools are now teaching this curriculum to years 7 and 8, and this resource will support all secondary school pupils.

- The Welsh Government along with Public Health Wales has provided support and services to children who are affected by the ban, especially those who are already addicted to vaping or smoking, or who may face difficulties or risks in quitting or complying with the ban. Consultant in Public Health for Public Health Wales, Chris Emmerson, said: *“These best practices provide a comprehensive framework for supporting young vapers in Wales. By implementing these practices, we can better address the complex needs of children and young people struggling with vaping dependency. Nicotine replacement therapies, which are already offered to people aged over 12 who are smoking, is one tool that could help children and young people out of their dependency on vaping in tandem with other support mechanisms”*.
- The growing literature on what motivates young people to vape cites several factors such as peer influence, social image, perceived lower health risks of vapes compared with cigarettes, ‘just to give it a try’ and because they ‘like the flavours’. Other common reasons for vaping include to support mental health, reduce stress levels, and address low self-esteem. Vapes are used as a perceived coping mechanism to address these. However, teens who vape for stress relief report significantly higher stress levels than young people who don’t vape. These [findings](#) are similar to adolescent cigarette smoking behaviour, whereby cigarette smoking is commonly perceived as a way to relieve stress. Supporting learners’ mental wellbeing Implementing a [Whole School Approach to Emotional and Mental Wellbeing](#) can enable schools to protect and improve the mental wellbeing of young people, helping them to build resilience and reduce engagement in risky behaviours and [vaping-related exploitation](#).
- Also, through stakeholder engagement, we were made aware of a model of good practice in a local health board aimed to offer behavioural support to quit vaping and tobacco smoking, and manage nicotine withdrawal (Public Health Wales, 2024). The ‘Young Persons Vape Pathway’ was developed in response to reports of widespread vape use in secondary schools in Pembrokeshire with the aim to discuss nicotine dependence and withdrawal, provide behavioural support and nicotine replacement therapy (NRT) to quit vaping or smoking or offer a harm reduction intervention to enable them to manage the school day.
- There is concern among some stakeholders that a ban will lead to a rise in illicit supply of single-use vapes via peers or social media sites. We will work with enforcement

colleagues, including Trading Standards Wales, to prevent children and young people accessing any illegally distributed disposable vapes once a ban is introduced.

Conclusion

The ban on single-use vapes by the Welsh Government will have both positive and negative impacts on children's rights, as defined by the UNCRC. The ban could benefit the health, education and environment of children, however it could also harm their expression, participation and leisure. To balance these impacts, and to ensure the best interests of the child are a priority, the Welsh Government is confident the mitigating actions detailed in this assessment of impacts will empower children and young people to make the right choices. By continuing to work with children and young people and those who represent them, we will continue to protect and improve the mental wellbeing of young people, helping them to build resilience and reduce engagement in risky behaviours.

The main impacts of the policy on children's rights are summarised below, according to the relevant UNCRC articles and its Optional Protocols.

UNCRC Articles or Optional Protocol	Enhances (X)	Challenges (X)	Explanation
Article 3: The best interests of the child	x		The policy aims to protect the best interests of children and young people by preventing and reducing their exposure to the harms of nicotine addiction, toxic substances, and environmental waste from single use vapes. The policy also recognises that some young people may use single use vapes as a harm reduction tool to quit smoking, and that banning them may have unintended consequences, such as driving them to the illegal products or to other tobacco products (i.e. cigarettes). Therefore, the policy is balanced by other measures to support young people who want to quit smoking, such as providing access to nicotine replacement therapy, counselling, and education.
Article 6: The right to life, survival and development.	x		The policy supports the right of children and young people to life, survival and development by protecting their physical and mental health from the adverse effects of vaping and single use vapes. The evidence shows that vaping can expose young people to nicotine, which can affect their brain development, cognitive function, and behaviour.

			<p>Vaping can also expose young people to other chemicals, such as propylene glycol, glycerol, flavourings, and metals, which can cause irritation, inflammation, and damage to the respiratory system. Furthermore, vaping can increase the risk of infection, injury, and poisoning from contaminated or faulty products. Single use vapes pose additional health risks, as they are often unregulated, of poor quality, and contain higher levels of nicotine and other substances than reusable vapes. The bans will also address the negative environmental impacts associated with the manufacturing, use and disposal of single-use vapes.</p>
<p>Article 12: The right to express views and be heard.</p>	x	x	<p>The policy respects the right of children and young people to express their views and be heard on matters that affect them, by involving them in the consultation and decision-making process. The Welsh Government has sought the opinions and experiences of young people on vaping and single use vapes and has taken them into account in developing the policy. The evidence shows that young people have diverse and nuanced views on vaping and single use vapes, and that they want to be informed, supported, and empowered to make their own choices.</p> <p>The policy aims to reflect these views by providing clear and accurate information, guidance, and support for young people on vaping and smoking cessation, the environmental impacts, as well as enforcing the ban on single use vapes.</p>
<p>Article 13: The right to freedom of expression.</p>	x	x	<p>The policy may limit the right of children and young people to freedom of expression, by restricting their access to single use vapes, which they may use as a form of self-expression, identity, or socialisation. The evidence shows that some young people vape or use single use vapes for reasons such as curiosity, experimentation, peer pressure, fashion, or rebellion.</p> <p>The policy may also affect the right of children and young people to seek, receive, and impart information, by banning single use vapes, which they may use as a source of information, education, or entertainment.</p>

			<p>The evidence shows that some young people are attracted to single use vapes by their flavours, colours, designs, or marketing, and that they may use them to learn about vaping, smoking, or health issues. The policy also aims to balance the right of children and young people to freedom of expression and information, with their right to health and well-being and clean environment, which may be compromised by vaping and single use vapes.</p>
<p>Article 17: The right to access information from the media</p>	x		<p>The policy may enhance the right of children and young people to access more reliable information from the media, by reducing their exposure to misleading, inaccurate, or harmful information on vaping and single use vapes, following the ban on their supply, as these products will longer be available. The evidence shows that some young people are influenced by the media, such as social media, online platforms, or influencers, to vape or use single use vapes, without being aware of the risks, regulations, or sources of these products.</p> <p>The policy may also challenge the right of children and young people to access information from the media, by limiting their access to diverse, relevant, or beneficial information on vaping and single use vapes. The evidence shows that some young people use the media, such as online forums, blogs, or podcasts, to access information, advice, or support on vaping, smoking, or health issues, and they may find this information useful, helpful, or empowering.</p> <p>The policy does not prevent the access of children and young people to information from the media on vaping or single use vapes, as long as it does not involve the sale or supply of these products. The policy also aims to ensure that the information that children and young people access from the media on vaping or single use vapes is clear, accurate, and evidence-based.</p>

<p>Article 24: The right to health and health services.</p>	<p>x</p>		<p>The policy promotes the right of children and young people to health and health services, by preventing and reducing their exposure to the harms of vaping and single use vapes. This includes providing them with access to health services that can help them quit smoking or vaping. The evidence shows vaping and single use vapes can have negative impacts on the health of young people, such as nicotine addiction, respiratory problems, infection, injury, or poisoning.</p> <p>The evidence also shows that vaping and single use vapes can have positive impacts on the health of young people, such as helping them quit smoking, reducing their exposure to tobacco smoke, or improving their self-esteem, mood, or quality of life.</p> <p>The policy aims to maximise the benefits and minimise the harms of vaping and single use vapes for young people, by banning the sale and supply of single use vapes. These products are more harmful and less effective than reusable vapes, and by supporting young people who want to quit smoking or vaping, through health services such as nicotine replacement therapy, counselling, and education.</p>
<p>Article 29: The right to education.</p>	<p>x</p>		<p>The policy supports the right of children and young people to education, by providing them with information and guidance on vaping and single use vapes, and by creating a safe and healthy learning environment for them. The evidence shows that vaping and single use vapes can affect the education of young people, such as by distracting them from their studies, disrupting their attendance or behavior, or exposing them to bullying or peer pressure.</p> <p>The evidence also shows that vaping and single use vapes can enhance the education of young people, such as by stimulating their curiosity, creativity, or critical thinking, or by providing them with opportunities to learn about vaping, smoking, or health issues. The policy aims to improve the education of young people on vaping and single use vapes, by providing them with clear and accurate information and guidance, through the curriculum and the school environment. By banning the sale and</p>

			supply of single use vapes, we are also removing products which may interfere with their learning or well-being.
Article 31: The right to leisure, play and culture.	x		<p>The policy may affect the right of children and young people to leisure, play and culture, by restricting their access to single use vapes, which they may use as a form of leisure, play, or culture. The evidence shows that some young people vape or use single use vapes for reasons such as enjoyment, relaxation, or fun. The evidence also shows that some young people vape or use single use vapes as part of their culture, such as their subculture, identity, or community.</p> <p>The policy may limit the opportunities for young people to engage in leisure, play, or culture activities that involve vaping or single use vapes, and may affect their sense of belonging, expression, or participation.</p> <p>However, the policy would help to reduce negative impact littering of littering, air pollution, and toxic chemicals leaching into the environment from these products. This will help provide a safer environment for children and young people to play, and provide the most basic health requirements to children and young people: clean air and safe water.</p>
Article 33: The right to protection from illicit drugs.	x		<p>The policy protects the right of children and young people to protection from illicit drugs, by preventing and reducing their exposure to single use vapes that may contain illicit substances, such as cannabis, synthetic cannabinoids, or other psychoactive substances.</p> <p>The evidence shows that some young people use single use vapes that may contain illicit substances, either knowingly or unknowingly, and that this can have serious health and legal consequences for them. The evidence also shows that some young people use single use vapes that may contain illicit substances, as a way to experiment, self-medicate, or cope with stress, anxiety, or trauma.</p>

			<p>The policy aims to prevent and reduce the use of single use vapes that may contain illicit substances, by banning the sale and supply of single use vapes, which are more likely to be contaminated or adulterated than reusable vapes. It will also provide young people with information, guidance, and support on the risks, regulations, and sources of these products.</p>
<p>Article 36: The right to protection from exploitation.</p>	x		<p>The policy protects the right of children and young people to protection from exploitation, by preventing and reducing their exposure to the exploitation of the vaping industry, which may target them with single use vapes. The evidence shows that some young people are exploited by the vaping industry, which may use aggressive, deceptive, or unethical marketing strategies to sell or supply single use vapes to them, without disclosing the risks, regulations, or sources of these products.</p> <p>The evidence also shows that some young people are exploited by the vaping industry, which may use single use vapes as a way to recruit or retain them as customers, by hooking them on nicotine, or by enticing them to switch to other tobacco products.</p> <p>The policy aims to prevent and reduce the exploitation of young people by the vaping industry, by banning the sale and supply of single use vapes, which are more profitable and addictive than reusable vapes, and by enforcing the existing regulations on the age of sale, advertising, and labelling of vaping products.</p>

We can foresee no potential impacts on EU Citizens Rights (as referenced in the Equality Impact Assessment) relating to young people up to the age of 18, from the proposed legislation.

1. Ministerial advice and decision

The policy proposal is based on robust evidence and research on the environmental and health impacts of single-use vapes, as well as the views of various stakeholders, including children and young people.

Based on this evidence, the Welsh Government advises the Cabinet Secretary for Climate Change and Rural Affairs to approve the policy of banning the sale and supply of single use vapes in Wales, as part of the wider strategy to tackle plastic pollution and its impact

on our environment, economy and health. Our goal is to maximise resource efficiency and minimise waste by following the principles of the waste hierarchy: Reduce, Reuse, Recycle. This includes moving away from a take, make, waste model and towards a circular economy. The policy will also tackle youth vaping.

The policy is expected to have positive impacts on the rights and well-being of children and young people in Wales, by protecting their environment, their health, best interests, and protection from exploitation. It will also provide them with information, guidance, and support on vaping and smoking cessation. The policy is expected to have some negative impacts on the rights and well-being of children and young people in Wales, by limiting their freedom of expression, access to information, and leisure, play, and culture activities. There is also the potential for children and young people driven towards the black market or to other tobacco products. However, these impacts are likely to be outweighed by the benefits of the policy, and can be mitigated by other measures. This includes ensuring the policy is clear, consistent, and evidence-based, and it is accompanied by education, engagement, and enforcement strategies.

The Cabinet Secretary for Climate Change and Rural Affairs agrees with the advice and approves the policy of banning the supply of single use vapes in Wales, subject to the approval of the Senedd.

2. Publication of the CRIA

- *Following the ministerial decision, the CRIA should be published on the Welsh Government website.*
- *Send sections 1 and 8 of your IIA and the CRIA (Annex A) to your departmental web manager for publishing.*
- *all completed CRIAs must also be sent to the CRIA@gov.wales mailbox.*

3. Communicating with Children and Young People

The Welsh Government has committed to empowering children and young people to know and exercise their rights, and to [participate in decisions that affect them](#). The Welsh Government wishes to thank all the children and young people who have taken the time to engage with us and respond to our surveys. Their views are extremely important to us and have assisted us in ensuring the policy, when it is in force, is appropriately supported with the right information and guidance for children and young people.

We propose to brief the children and young people who engaged with us once the legislation is put forward to the Senedd and keep them informed of its progress. Whilst guidance on vaping is already available for schools and this seeks to highlight to young people the health risks of vaping, the Welsh Government is working with Public

Health Wales and stakeholders to understand what additional information, materials or resources are required to give young people the information and tools they need to understand the impacts of vaping and to stay healthy.

We will continue to work with children and young people to communicate the progress of this policy but also to engage with them regarding the Welsh Government's wider agenda to reduce single-use products littered in our streets and green spaces, reduce pollution and tackle the Climate Change emergency.

If your policy affects children and young people, remember to produce child-friendly versions of any public document relating to your proposal. Please contact the Children's Branch for further advice.

4. Monitoring and Review

The Welsh Government will monitor and review the policy of banning the sale and supply of single use vapes in Wales, by collecting and analysing data and evidence on the prevalence, patterns, and perceptions of vaping and single use vapes among children and young people in Wales, as well as the health, social, and environmental outcomes of the policy.

The Welsh Government will also monitor and review the policy by engaging with children and young people, as well as other stakeholders, such as health professionals, academics, industry representatives, to seek their feedback and experiences on the policy, its implementation, and its impacts.

The Welsh Government will also monitor and review the policy by updating the CRIA accordingly, and by publishing it alongside the policy document.

- Please outline what monitoring and review mechanism you will put in place to review this CRIA.
- Following this review, are there any revisions required to the policy or its implementation?

- Vaping devices should not be used by children and young people.
- It is illegal to sell nicotine-containing vaping devices to anyone under 18 or for adults to buy them on behalf of under-18s.
- Those selling or suspected of selling either nicotine vapes or tobacco products to under-18s can be reported anonymously to ['No Ifs. No Butts.'](#)