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[Y Pwyllgor Plant, Pobl Ifanc ac Addysg](#)

[The Children, Young People and Education
Committee](#)

14/10/2015

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Cynulliad
Cenedlaethol
Cymru

National
Assembly for
Wales

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Cofnodir y trafodion yn yr iaith y llefarwyd hwy ynnddi yn y pwyllgor. Yn ogystal, cynhwysir trawsgrifiad o'r cyfieithu ar y pryd.

The proceedings are recorded in the language in which they were spoken in the committee. In addition, a transcription of the simultaneous interpretation is included.

Aelodau'r pwyllgor yn bresennol
Committee members in attendance

Angela Burns	Ceidwadwyr Cymru Welsh Conservatives
Keith Davies	Llafur Labour
Suzy Davies	Ceidwadwyr Cymru Welsh Conservatives
John Griffiths	Llafur Labour
Lynne Neagle	Llafur Labour
David Rees	Llafur (Cadeirydd dros dro) Labour (Temporary Chair)
Aled Roberts	Democratiaid Rhyddfrydol Cymru Welsh Liberal Democrats
Simon Thomas	Plaid Cymru The Party of Wales

Eraill yn bresennol
Others in attendance

Kate Cassidy	Cyfarwyddwr, Cymunedau a Threchu Tlodi, Llywodraeth Cymru Director, Communities and Tackling Poverty, Welsh Government
Lesley Griffiths	Aelod Cynulliad, Llafur (y Gweinidog Cymunedau a Threchu Tlodi) Assembly Member, Labour (the Minister for Communities and Tackling Poverty)
Elin Gwynedd	Pennaeth Grymuso Plant a Phobl Ifanc, Llywodraeth Cymru Head of Empowering Children and Young People, Welsh Government

Swyddogion Cynulliad Cenedlaethol Cymru yn bresennol
National Assembly for Wales officials in attendance

Sarah Bartlett	Dirprwy Glerc Deputy Clerk
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Marc Wyn Jones Clerc
 Clerc
Siân Thomas Y Gwasanaeth Ymchwil
 Research Service

*Dechreuodd y cyfarfod am 09:31.
The meeting began at 09:31.*

Cyflwyniadau, Ymddiheuriadau a Dirprwyon Introductions, Apologies and Substitutions

[1] **David Rees:** Good morning, and can I welcome members of the public and members of the committee to this morning's session of the Children, Young People and Education Committee? First of all, can I do some housekeeping? Can I remind Members, if you've got mobile phones, please put them on silent or switch them off, and any other electronic equipment that may make noises or interfere with the broadcasting equipment? We're not scheduled for a fire alarm this morning, so, if one does occur, please follow the directions of the ushers. The meetings are bilingual, and if you require translation from Welsh to English, that is available via the headsets on channel 1. If you require amplification, then that's also available on the headsets, but that's channel 2.

[2] We've received apologies this morning from Ann Jones and from Bethan Jenkins, and there are no substitutes identified for either.

09:32

Craffu ar Waith y Gweinidog Cymunedau a Threchgu Tlodi mewn perthynas â Rôl Comisiynydd Plant Cymru Scrutiny of the Minister for Communities and Tackling Poverty on the Review of the Role of the Children's Commissioner

[3] **David Rees:** If we move onto the next item on the agenda, this morning we have the Minister for Communities and Tackling Poverty in attendance in order to discuss two different topics, and we will separate those topics clearly. Can I welcome the Minister, Lesley Griffiths? Would you like to introduce your officials?

[4] **The Minister for Communities and Tackling Poverty (Lesley Griffiths):**

Yes. On my right is Kate Cassidy and on my left is Elin Gwynedd. Your title?

[5] **Ms Gwynedd:** Head of empowering children and young people.

[6] **Lesley Griffiths:** Thank you.

[7] **David Rees:** Thank you. Thank you for the written paper for the evidence for the meeting. This first session we'll look at is actually the review of the role of the children's commissioner, which was undertaken by Mike Shooter on behalf of the Welsh Government, and which reported back in December 2014. So, we'll go into questions in relation to that, and, obviously, since that point, we appreciate that there's been the appointment of a new children's commissioner as well, Professor Sally Holland. So, we'll start off with Suzy Davies.

[8] **Suzy Davies:** Thank you. Good morning.

[9] **Lesley Griffiths:** Good morning.

[10] **Suzy Davies:** The ombudsman in Wales is accountable to the Welsh Assembly and not to the Welsh Government. Why is the position different for the children's commissioner?

[11] **Lesley Griffiths:** We've consistently respected the independence of all our commissioners. We have several commissioners, and I think there's been a very strong tradition formed that's based on non-interference by Ministers. I think it's something that all Ministers consider to be a major source of strength, and I think it's something that all the commissioners themselves acknowledge, and certainly the children's commissioner does. Welsh Government is obviously the appointing and the funding body, and we as a Government are very, very careful to respect the independence of the commissioner. Processes are in place regarding the funding arrangements not impinging on the independence of the commissioner. I think dividing responsibility for appointment and funding on one hand and scrutiny on the other between Welsh Government and the National Assembly for Wales—I think that really helps the independence of the commissioner, too, and the accountability.

[12] I think also that the children's commissioner also advises us at times. I think it's very important—obviously, now it's 'she'—that she is involved in policy making. It's a very different role from that of the ombudsman and,

actually, the Auditor General for Wales. I think they have very different roles. They don't have a role, for instance, in promoting any particular policy, and, again, as I say, the children's commissioner does advise us on policy. The one—

[13] **Suzy Davies:** Sorry, can I stop you there?

[14] **Lesley Griffiths:** Yes.

[15] **Suzy Davies:** You said the children commissioner's got a duty to promote policy.

[16] **Lesley Griffiths:** No, I said she advises us on policy.

[17] **Suzy Davies:** Yes, but you said that was the distinction between the commissioner and—

[18] **Lesley Griffiths:** The ombudsman and the Auditor General for Wales don't have any role.

[19] **Suzy Davies:** They have no advisory role, no. I accept that, but you mentioned 'promote'. So, I thought—. Okay. Sorry to disrupt your flow.

[20] **Lesley Griffiths:** It's okay. I also think the way that the commissioner is appointed—you'll be aware, as you and Aled sat on the cross-party panel, along with children and young people. I think it's very important that we had that role also. That's something in regulations. So, I just think that it's absolutely right that we retain that independence. I don't see that the commissioner being appointed by the National Assembly for Wales would do anything to enhance that independence.

[21] **Suzy Davies:** Well, I might disagree with you on that because I think you're right: the perception of independence of this commissioner and other commissioners is pretty critical, I think, to there being confidence in their ability to hold the Government to account. Because of that, and because of your own self-confessed regard for that independence, can you explain why others disagree with you so vehemently? Because, obviously, the majority of people who responded to this consultation—and it was an overwhelming majority—felt that the independence of the commissioner is more publicly apparent if the commissioner's accountable to the Assembly rather than a Minister.

[22] **David Rees:** To clarify, I don't think it's for you to explain other views, but perhaps you could explain your views as to why you disagree with others.

[23] **Lesley Griffiths:** Yes. I was going to say that it's not my position to defend other people's views. It's my position to defend my view.

[24] **Suzy Davies:** Okay. Why do you disagree with the overwhelming majority?

[25] **Lesley Griffiths:** I think I've explained. We've looked into it very carefully. I've had discussions with officials, and other Ministers also who are obviously responsible for their commissioners. That's the conclusion that we've come to. I think it's the right conclusion, and I think that the commissioner herself very much values that independence. I know of her views, but I think that separating the two functions is very sound for governance also.

[26] **Suzy Davies:** So, you take the advice of other Ministers and officials over those expressed in the review that you yourself commissioned.

[27] **Lesley Griffiths:** Well, my predecessor commissioned it—

[28] **Suzy Davies:** Oh, sorry; yes.

[29] **Lesley Griffiths:** —but, yes, that's the conclusion that we have come to.

[30] **Suzy Davies:** Did you give any particular thought to the views expressed by UNICEF? Obviously, UNICEF has a massive global status here. Their view is that executive branch appointments can create difficulties for institutional independence, especially if those institutions are then called upon to monitor the body that appointed their leaders. There is a risk of politically influenced appointments—and I'm not suggesting that at all in this case—that can cast doubt on the impartiality of the appointed candidate. It's this casting doubt that's a concern for me because, as I say, I have no concerns at all about the appointment of the current commissioner, but how does that look to the outside world, particularly when there's still some difficulty in promoting what the United Nations Convention on the Rights of the Child, for example, is all about.

[31] **Lesley Griffiths:** I think what UNICEF are saying is that difficulties

appear when institutions are called upon to monitor the body that appointed their leader. Again, I go back to—. It's unclear to me how a transfer to the Assembly would create a greater level of independence.

[32] **Suzy Davies:** Well, because the Assembly—

[33] **David Rees:** Please let the Minister answer.

[34] **Suzy Davies:** Okay.

[35] **Lesley Griffiths:** The commissioners in Wales need to be operationally independent, I think, from both the Welsh Government and the National Assembly for Wales. So, I suppose if there's a problem of perception, I think it is the perception that the commissioner's role is one of holding the Welsh Government to account. I think the commissioner has a much broader role than that. You know, they have a responsibility—. I will say 'she'; she has a responsibility also for raising awareness of the UNCRC, promoting children's rights. So, you know, the commissioner's role isn't purely one of holding the Welsh Government to account. I read what they said about the politically influenced appointments. Again, I go back—it's a very open and transparent procedure. The First Minister appointed the commissioner on the recommendation of a cross-party panel, which included young people. I know you were on the panel. The involvement of the young people, I think, enhanced the process greatly. So, if there is a problem of perception, it's that the commissioner's only role is to hold the Welsh Government to account. That's absolutely not the case.

[36] **Suzy Davies:** Well, just to finish on that, then, the UNCRC's own monitoring group—which of course is not so much about holding the Government to account, but is involved in those other issues we were just talking about, such as promotion and so forth—expressed the view that the commissioner should be accountable to the Assembly. Why would you disagree with them?

[37] **Lesley Griffiths:** Well, I think I've already explained that.

[38] **Suzy Davies:** Okay.

[39] **David Rees:** Aled.

[40] **Aled Roberts:** Beth yw eich **Aled Roberts:** What is your response,

ymateb chi, Weinidog, i'r datganiad gan Mike Shooter yn ei adroddiad bod y ffaith bod y penodiad yn cael ei wneud gan Lywodraeth Cymru yn groes o safbwynt moesegol i'r holl egwyddorion a sefydlwyd ar gyfer sefydliadau hawliau dynol cenedlaethol? Minister, to the statement by Mike Shooter in his report that the fact that the appointment was made by the Welsh Government goes against the idea of the principles that were established for national human rights organisations?

[41] **Lesley Griffiths:** Again, I think I've explained, you know, why we've come to the conclusion that the process is right. I think a lot of the recommendations from Mike Shooter—for instance, on the appointment process he agreed that it was good practice to have the cross-party panel and it was right to involve children and young people, so whilst we weren't acting on that recommendation when we appointed in January, we were certainly very pleased that that had been agreed. I don't know if Kate wants to say anything else.

[42] **Ms Cassidy:** Just that, basically, the report bears out the approach that we've taken, always, to the appointment of the commissioner to ensure there was cross-party engagement, but equally importantly the engagement of children and young people in that appointment, which is already required by the regulations, and we'll certainly want to see that continue.

[43] **Aled Roberts:** Ond mae'n debyg mai'r mater o gyllido'r comisiynydd y mae Mike Shooter yn sôn amdano fo'n benodol. Mae o'n dweud bod hyn yn groes o safbwynt moesegol—dyna'i eiriau fo. **Aled Roberts:** But it appears that it's the matter of funding the commissioner that Mike Shooter is talking about specifically here. He states that this is contrary to the spirit of this matter—those were his words.

[44] **Ms Cassidy:** In terms of who appoints the children's commissioner, I think, as the Minister has said, it's important to reflect on what the actual role of the commissioner is, and the commissioner was created as a matter of policy by the Welsh Government to promote the rights and welfare of children and young people. So, that's why we want the commissioner to be able to be accountable to the Assembly for how well they perform that role, and to work with the Welsh Government in helping to promote that policy.

[45] **David Rees:** Can I just clarify the point on behalf of Aled, then? I think

the question is—. You've argued that you do not believe the independence is challenged, then, as a consequence of the current circumstances, and you also believe that the funding aspects don't challenge the independence either, because the funding is—this is what you're getting at—also from Welsh Government, and not from the Assembly at all. The commissioner's office depends upon the Welsh Government for funding, so you don't believe that actually challenges the independence.

[46] **Lesley Griffiths:** I think I mentioned earlier on that the processes are in place to ensure the funding arrangements don't impinge on her independence. Budget estimates need to be laid before the Assembly, for instance. So, I think there is that, sort of, safeguard, if you like, in place.

[47] **Ms Gwynedd:** Budget scrutiny is—. We, as Government, don't monitor, as such, the budget. It's laid and then we have policy meetings, but we're not the body that scrutinises the funding in any way, or how it's spent. The Public Accounts Committee took that role last year, and I believe they're going to continue to take that role this year.

[48] **David Rees:** Angela.

[49] **Angela Burns:** My apologies for being slightly delayed, and I do hope I'm not covering a question that's already been asked, but I just wondered if the issue of the independence of the commissioner had been discussed at Cabinet level, Minister, and I wondered if there was any, you know, reasoning behind this that was more that this might be a slippery slope for the call, particularly by the Presiding Officer, for all the commissioners to be appointed by the National Assembly for Wales. I wonder if that is, actually, the main barrier to this particular commissioner being given that level of independence.

[50] **Lesley Griffiths:** Yes, it has been, obviously, discussed at Cabinet. The review was set up by my predecessor. That's been discussed at Cabinet also. *[Interruption.]* Excuse me. I've explained why I believe that is the case. I really can't see how the independence would be enhanced by an appointment by the National Assembly for Wales.

[51] **David Rees:** Can I clarify: have you met with the Presiding Officer to discuss her views on—?

[52] **Lesley Griffiths:** Have I met?

[53] **David Rees:** Yes.

[54] **Lesley Griffiths:** No, I haven't met with her. I have written to her, because, clearly, from the review, there were recommendations for Welsh Government, there were recommendations for the commissioner herself and there were recommendations for the National Assembly for Wales. So, I've written to the Presiding Officer, pointing out, you know, that some of the recommendations are wholly for the National Assembly for Wales, but I haven't actually met with her.

[55] **David Rees:** Thank you. Okay, Angela?

[56] **Angela Burns:** Yes, thank you.

[57] **Suzy Davies:** Can I just—[*Inaudible.*]?

[58] **David Rees:** One quick one, then.

[59] **Suzy Davies:** It was the question that I wasn't allowed to ask. Can I just ask you, simply, what would be the disadvantages of transferring the responsibility or the accountability to the Welsh Assembly?

[60] **Lesley Griffiths:** Well, I'm not saying there would be any major disadvantages, but I don't see any advantages either, and, surely, that would be the way I would make the decision.

[61] **Suzy Davies:** Okay. Thanks.

[62] **David Rees:** It's not that you weren't allowed to ask, it was about giving the Minister a chance to answer the question you did ask. Keith, ask your question.

09:45

[63] **Keith Davies:** Diolch, **Keith Davies:** Thank you, Chair. I will Gadeirydd. Gwnaf i ofyn yn Gymraeg be asking in Welsh as well. In the hefyd. Yn yr adolygiad annibynnol independent review by Mike Shooter, gan Mike Shooter, fe sonnir bod it is mentioned that we need new eisiau Deddf newydd i symleiddio'r legislation in order to simplify the ffordd y mae'r comisiynydd yn way the commissioner works. Have

gweithio. A ydych chi wedi gwneud you done anything on that to decide
rhywbeth ar hynny i benderfynu a oes whether new legislation is needed or
eisiau Deddf newydd ai peidio? not?

[64] **Lesley Griffiths:** We're obviously working through the recommendations that apply to Welsh Government at the moment. I think the roles and the powers of the commissioners are already very well defined. Again, any new legislation would have to be justified to show and demonstrate there were clear benefits to the people of Wales and the children and young people of Wales from having new legislation. There's certainly no room in this term's legislative programme. So, that would be something that, going forward, if there was a need for it, would have to be in the next term's legislative programme.

[65] **Keith Davies:** Beth yw eich **Keith Davies:** What is your opinion—
barn chi—mae yna ddau beth there are two additional points he
ychwanegol y mae'n sôn amdano am makes here in relation to powers—on
y pwerau—i edrych ar faterion sy'n looking at matters in relation to
ymwneud â phlant sydd efallai heb children that, perhaps, haven't been
gael eu datganoli? A ydych yn devolved? Do you think that the
meddwl y dylai fod gan y commissioner should have the right
comisiynydd yr hawl i edrych ar y to look at those things also? Maybe
pethau yna hefyd? Efallai bod eisiau we need legislation to ensure that.
Deddf newydd i sicrhau hynny.

[66] **Lesley Griffiths:** I think we fully support that recommendation. I remember having a discussion with the previous children's commissioner around this because it clearly had been something that had—perhaps 'irritated' is too strong a word. But I think there had been discussions regarding this. He personally felt very strongly about this and I think there had been discussions saying that if the Children's Commissioner for Wales wanted to look into something that was reserved, they could go to the Children's Commissioner for England. But our commissioner felt very strongly that that shouldn't be the case.

[67] I know all the commissioners meet regularly. I know they have a memorandum of understanding. I think after the—I'll bring Elin in here in a minute—UK Government had sort of discussed how it could be done, i.e. the Welsh commissioner would go cap in hand, if you like, they felt they'd done their bit and they left it at that. But I think that's something that we do need to pursue and we do fully agree with that recommendation. I don't know if

Elin wants to say something on the previous discussions with the UK Government.

[68] **Ms Gwynedd:** Just to say that we would fully agree: of course the children's commissioner should be able to deal with any matters relating to Welsh children. The legislative vehicle for that has been difficult to find. We did explore it—and we met with officials from the UK Government—in the new legislation for the English children's commissioner. But the solutions that they offered weren't appropriate and the children's commissioner at the time, Keith Towler, felt that it didn't resolve the matter in the way that he would have wanted, and it would have been better to leave it as it was than to go with this new arrangement of him actually going to the English commissioner and asking permission to deal with something that was a non-devolved matter. He felt that that was possibly an even worse situation. So, it's not something that's been resolved at the moment. It's something that we still want to work on and we would fully agree with it.

[69] **Keith Davies:** A oes unrhyw **Keith Davies:** Have any meetings gyfarfodydd wedi bod gyda taken place with Ministers in England Gweinidogion yn Lloegr ar hyn? on this?

[70] **Ms Gwynedd:** Can I just say that before you were the Minister with the lead for this, the Minister at the time wrote many letters to the UK Government Ministers? There was a lot of turnover of UK Ministers and actually we ended up I think writing to three or four, simply because of the turnover of Ministers at the time. So, there was a lot of correspondence at the time.

[71] **Keith Davies:** Diolch. Y newid **Keith Davies:** Thank you. The other arall y mae Mike Shooter yn sôn change that Mike Shooter mentions, amdano, wrth gwrs, yw mynd ag of course, is to change the age range oedran y plant rŷch chi'n mynd i of the people you're looking at up to edrych arnynt lan i 25. Ydy hynny'n the age of 25. Is that something that rhywbeth y dylai gael ei wneud? should be done?

[72] **Lesley Griffiths:** Again, I think there was a public consultation back in 2012 regarding that. That certainly wasn't what was thought to be the right way. I think it's very well defined that a child is up to the age of 18. I wouldn't see any reason to change that. Also, I have discussed that with the present children's commissioner and I don't think she would agree with it going up to 25 either.

[73] **Keith Davies:** Y peth diwethaf yn yr adran hon y mae Mike Shooter yn sôn amdano yw y dylai, nid y comisiynydd plant yn unig, ond pob comisiynydd arall sydd gyda ni yng Nghymru weithio o dan yr un rheolau. Mae'r rheolau'n wahanol ar gyfer un o gymharu ag un arall nawr. Mae'n cynnig y dylai'r Llywodraeth edrych ar hyn a sicrhau eu bod i gyd yn gweithio yn yr un ffordd.

Keith Davies: Finally, in this section, Mike Shooter mentions that, not only the children's commissioner, but all commissioners we have in Wales should work under the same regulations. The rules are different for one compared with another one now. He suggests that the Government should look at this and ensure that they all work in the same way.

[74] **Lesley Griffiths:** I have discussed that recommendation with ministerial colleagues who are responsible for different commissioners, and I think we all agree that the role, the remit and functions are all very different across all the commissioners. I think what would be better is if there was, perhaps, greater consistency and coherence amongst the commissioners. Another thing we've looked at are back-room functions; perhaps they could do that. I think the recommendation was for a single Act; we don't agree with that, because of the different roles and responsibilities.

[75] **Keith Davies:** Diolch, **Keith Davies:** Thank you, Chair. Gadeirydd.

[76] **David Rees:** I've got three people who want to ask supplementaries, now, so short, sharp supplementaries. Aled, then John, then Angela.

[77] **Aled Roberts:** Rwyf eisiau mynd yn ôl at bwynt gwreiddiol Keith, sef y ffaith bod rhai materion sydd heb eu datganoli ar hyn o bryd nad ydynt o fewn maes gwaith y comisiynydd. O beth rwy'n cofio, rhyw ddwy flynedd yn ôl—. Rwy'n deall y pwynt rydych yn ei wneud, bod Gweinidogion yn Lloegr yn newid trwy'r amser, ond un o'r problemau, o'r hyn rwyf yn ei gofio, oedd, cyn iddynt ddod â'r awgrym yma mai deddfwriaeth comisiynydd plant

Aled Roberts: I want to go back to Keith's original point, which is the fact that there are some matters that haven't been devolved at present that are not within the remit of the commissioner. From what I remember, some two years ago—. I understand the point that you make, that Ministers in England change continuously, but one of the problems, as far as I recall, was that, before they brought forward the suggestion that the children's

Lloegr fuasai'n bwrpasol ar gyfer newid rhai pethau—ac rwy'n meddwl roedd yna broblemau ynghylch Comisiynydd Plant Cymru yn gorfod gofyn am ryw fath o ganiatâd gan gomisiynydd Lloegr. Roedd yna awgrym hefyd mai'r prif rwystr ar y pryd oedd bod Llywodraeth Prydain yn credu, achos bod rhai o'r pwerau yma wedi'u cynnwys o fewn Deddf Llywodraeth Cymru, eu bod nhw'n teimlo y buasai'n datod llawer iawn o'r gwaith. A oes unrhyw drafodaethau wedi cymryd lle ar lefel uwch na Gweinidog plant Lloegr, os ydy hwn yn fater cyfansoddiadol, achos yn y pen draw, mae hwn yn rhywbeth y bydd yn rhaid ei ddatrys rhyw ben?

commissioner legislation in England was the suitable vehicle to change some issues—and I think there were problems with regard to the Children's Commissioner for Wales having to ask for some sort of consent from the commissioner in England. There was a suggestion, too, that the main barrier at the time was that the UK Government thought that, because some of those powers were included within the Government of Wales Act, they felt that it would undo a lot of the work. Has there been any discussion at a higher level than the children's Minister for England, if this is a constitutional matter, because, ultimately, this is something that will have to be solved at some point?

[78] **Ms Gwynedd:** In terms of looking at the constitutional arrangements, we have actually spoken to the First Minister's delivery unit, and they are looking at that matter. It is, as you rightly say, more than the children's commissioner, isn't it? It affects more than just the children's commissioner's ability to deal with matters in Wales. So, yes, we've spoken to—.

[79] **David Rees:** John.

[80] **John Griffiths:** Minister, in terms of Mike Shooter's review, he states that many of the children's organisations felt that, too often, the commissioner was criticising existing Welsh Government policy and taking issue with existing Welsh Government policy, rather than, perhaps, being engaged at an earlier stage during the formulation of policy. They felt that it would, perhaps, be more effective if the commissioner was involved at that earlier stage and could bring influence to bear in terms of the policy that was eventually produced rather than, post that formulation, taking issue with it. Do you consider that there are sufficient opportunities available for the commissioner to have that role in policy formulation?

[81] **Lesley Griffiths:** Yes, I do think that's a very good recommendation. I think, to be involved as early as possible in policy is good. I don't think it's good to be standing on the sidelines criticising. I would really welcome that—I mean, they're experts, obviously, in this field. So, I think it's something that we would be very keen to pursue and, certainly, from my initial discussions with Sally Holland, she would be very happy to do that.

[82] **John Griffiths:** So, it's not something that has really happened up to now, then, has it?

[83] **Lesley Griffiths:** Because I came in at the tail end of Keith Towler's tenure, if you like, it was not something that I discussed with him—apart from a couple of pieces of legislation going through, where we discussed his views, and I'll ask Elin to come in in a minute. But, certainly, in my initial discussions with Sally, we're all looking at the recommendations—I'm looking at the Welsh Government ones, and Sally's looking at the ones for her, and very happy to do so. I think it's a very important role to advise us on policy. So, I'd be very happy to have early discussions with her. I don't know if Elin wants to say more about previous legislation.

[84] **Ms Gwynedd:** Yes, I think it's particularly helpful to get the children's commissioner's view earlier—as early as possible. In fact, my branch advises others on the children's rights impact assessment and part of that is suggesting to policy advisers who ring us about all kinds of different policies to get involved with the children's commissioner very early on to gauge what their feeling is, what their knowledge is, what they feel should be in the policy, to make it the best policy. It just feels a little too late to do it at the end, or at the consultation stage. So, we would always say to colleagues across Government to contact the children's commissioner to get them involved as early as possible and to get their input.

[85] **John Griffiths:** I think it must be quite useful for the committee, Chair, just to be kept abreast of developments that might enable the commissioner to have that earlier role in the formulation of policy if anything is put in place.

[86] **Lesley Griffiths:** I think that role is already there; I think what Mike was saying is that it needs to be enhanced, and, certainly, Sally seems very open to that, and clearly, Keith Towler was the same. So, I'm not saying it hasn't been done; I think we just need to ensure it's done at perhaps an earlier stage. I know with the Active Travel (Wales) Bill, for instance, that Keith

Towler was very involved in that, in relation to children's safety walking to school. So, they can obviously play a very important role in that.

[87] **Ms Gwynedd:** I think, also, that Dr Shooter did visit other countries and see that commissioners in other countries sometimes did get involved at a much earlier stage, and instead of criticising at the consultation stage, were much more involved in the policy stage, because, ultimately, we're all trying to get the same goal, as the children's commissioner would argue, in getting better policy for children and young people. So, I think he'd seen it in other countries; I think specifically, Scotland, and he felt that it was a better process, with better policies because of it.

[88] **John Griffiths:** Just one other thing, Chair, would you accept that, in terms of what happens in Scotland, we're not involving our children's commissioner at such an early stage, and in such a meaningful way, as they do there?

[89] **Lesley Griffiths:** I think the recommendation was that we could improve, so I'm very happy to take that recommendation on board, and learn from other countries; absolutely.

[90] **David Rees:** Okay. Angela.

[91] **Angela Burns:** Minister, I feel you've skipped rather lightly over the issue of the children's commissioner only being responsible for young people up to the age of 18, and I'd like to press you on this point a bit more. Yes, I did read what Sally Holland had to say, and also the United Nations Convention on the Rights of the Child monitoring committee. However, there's a real disparity, because when you look across legislation in Government, we have up to 25 in the Social Services and Well-being (Wales) Act 2014; we have looked-after children in a different set; and we have the additional learning needs Bill coming out. So, I'd like to understand a little bit more clearly why you do not feel that it would be appropriate to have that responsibility given to the children's commissioner up to the age of 25.

[92] **Lesley Griffiths:** The UNCRC defines children as any person under the age of 18. I mentioned the public consultation and I mentioned the children's commissioner's view. The response to the consultation was strongly against the idea. The vast majority of people set out very clear reasons why the UNCRC is for children under the age of 18. Funnily enough, when I sat on the, I think it was the vulnerable children's legislative competence Order

committee, I remember having this very debate then. So, because I think the commissioner's role is so intrinsically linked with the UNCRC, that was the basis of that decision.

[93] **Angela Burns:** But may I suggest to you that, actually, we're allowing the UNCRC to curtail the activities of our children's commissioner? We were the first nation to come up with the children's commissioner; we were prepared to walk the walk then when others did not; and I don't see why we cannot make ours a super children's commissioner and give them those extra powers, and look beyond the United Nations rights of the child convention, because I think that is slightly limiting. And, I think, in a nation like ours, where we do have some absolutely crystal clear issues with young people, that having somebody who can speak for those who are vulnerable and disadvantaged up to 25 has got to be of interest to us. And I do worry that we are using this as an excuse not to do something.

[94] Minister, you were very robust earlier on, when all the evidence said, 'Make this an independent appointment' and you were saying, 'No, no, no, no'. But here, you are saying, 'Oh, well everybody says it shouldn't be, so I'm not going to do it'. I would like to challenge you to look at it, and I would like to suggest to you that perhaps a way to mitigate this would be to ask the children's commissioner, and your officials, to perhaps consider whether, rather than going to a blanket 25 years old, you might look at types of children, so perhaps children who are still in full-time education who haven't gone to higher education; perhaps children who are looked after; children who do have additional needs; children who are classified as vulnerable, rather than an age, because I do think that she would have a very important role to play in terms of developing policy, for example with the ALN Bill. We should be hearing her voice and the voice of children through that, so I would urge you, actually, just to have another look at this, because there's not much point in having a champion if there's a little chunk of young people that she can't actually champion.

10:00

[95] **Lesley Griffiths:** I can see what you're saying. I can see the merits in looking at those. I'm very happy to have that discussion with her. It is something that I have discussed with the children's commissioner and, you know, they felt the same way as I did, that there is significant role for them up to the age of 18. We didn't see any reason to change it, but I'm very happy to look at the specific groups.

[96] **Angela Burns:** Thank you.

[97] **David Rees:** Thank you. Keith wants to come back on one final quick point.

[98] **Keith Davies:** Just a short one, really. The remit of the children's commissioner is so wide. On one of the recommendations I've got here, I thought, 'Yes, I'd like that recommendation—I just wondered what you feel about it—that is, that an advisory board should be set up for the children's commissioner, and I would think that that advisory board should include young people as well.

[99] **Lesley Griffiths:** That was one of the recommendations for the children's commissioner, and I know she has a view on it. I don't think it should be statutory, but I think the children's commissioner will come forward with something on that recommendation.

[100] **Ms Gwynedd:** Yes, so, the advisory board. If we were to require the children's commissioner to have an advisory board, I think there would be a question on the independence from Government. However, I understand from discussions with the commissioner that she is considering that herself.

[101] **Keith Davies:** Okay, thank you.

[102] **David Rees:** Thank you. We move on now to Lynne on some other questions.

[103] **Lynne Neagle:** Can I just ask, Minister, what other evidence you've been reviewing in order to inform your decision making on this report?

[104] **Lesley Griffiths:** We've been looking at each recommendation very, very carefully. I think we need to look at the current evidence. I also have asked First Minister's delivery unit to look at some exploratory work around new legislation—I think Elin referred to that before. I've also been liaising with Sally Holland herself. You'll appreciate she was appointed in April. I thought it was really important to give her time to come into her new role and look at all the recommendations. So, really, looking at each recommendation very carefully, I think some of the recommendations were already implemented. I mentioned the good practice around appointment, for instance, but I think we need to look at every recommendation—I did a

written statement in July to Members—and we're continuing to do that. I think we also need to make sure that we review the possibility of legislation for a future date—I mentioned that there's no time in the current legislative programme. I've had discussions with other colleagues. You'll be aware that, with the future generations commissioner, we're currently in the process of appointing that, so I've had discussions with Carl Sargeant. So, I think it's just about looking at every recommendation really carefully.

[105] **Lynne Neagle:** Was there any outside evidence that you're looking at as well, then?

[106] **Ms Gwynedd:** The review itself includes an awful lot of evidence. Dr Shooter did an extensive piece of work, looking at other nations, looking at how other places work—what worked well, what didn't. The review has given more than just the recommendations; it's given us a lot of information to think about other countries. It's very useful to look over the border, isn't it, and look at other countries? That includes Europe—I think UNICEF are involved in that—and looking at good practice. So, the review is a very chunky piece of research in itself, I think.

[107] **Lynne Neagle:** Thank you.

[108] **David Rees:** Minister, the review by Dr Shooter actually was commissioned by, and undertaken on behalf of, the Welsh Government, and I know that you've identified in your response that there are elements that fall under the responsibility of the commissioner herself, there are some that come for the Welsh Government, and there are some for the Assembly. How are you monitoring how the recommendations are being delivered upon? Because we might agree that they are different responsibilities, but you commissioned the report, so I assume that you have the ownership of that report and, therefore, technically, ownership of the recommendations. So, how are you monitoring whether those recommendations are being achieved?

[109] **Lesley Griffiths:** Well, I mentioned I'd written to the Presiding Officer. I've not had any further information from the Presiding Officer or from any committees—I don't know whether committees have been looking at it; I don't know whether the Presiding Officer has asked this committee, for instance, to look at the recommendations. I thought it was only fair to give the new children's commissioner time to work through her recommendations. I have a meeting with her next month, on 25 November, I think, when I will be asking for an update as to what she's doing within the

recommendations. In relation to our own recommendations—the Welsh Government’s recommendations—as I mentioned, we’re looking very carefully at them. We’ve made progress on some. For instance, raising awareness of the UNCRC; we’ve increased the training provision for that, for instance. So, I will update Members in relation to Welsh Government ones; again, when I receive further information from the children’s commissioner and the Presiding Officer, I’ll do the same.

[110] **Aled Roberts:** Rwy’n derbyn **Aled Roberts:** I accept that you have eich bod wedi gwneud datganiad made a written statement in July, but, ysgrifenedig ym mis Gorffennaf, ond, do you intend to make a further more a yw’n fwriad gennyh i wneud detailed statement looking at all of datganiad mwy manwl yn mynd trwy the recommendations and how you bob un o’r argymhellion a sut yn will implement them? union byddwch yn eu gweithredu?

[111] **Lesley Griffiths:** Yes, absolutely. I will update Members, as I say, when I have further information from the children’s commissioner and from the National Assembly for Wales. This review wasn’t done for—. It was to look at how we can improve the workings of the children’s commissioner’s office. I think it’s very important, as we bring all the recommendations together and the actions taken on them, that Members are informed.

[112] **Ms Gwynedd:** Many of the recommendations are clustered together. They sit together. Sometimes, it’s not helpful to look at the recommendations separately. They need to be clustered together. So, we’ve been looking at clustering, for example, the legislation ones together and the functions together. Possibly, in updating it might be more helpful to respond to those clusters, rather than necessarily to the individual recommendations, because then they would be out of context. So, to maybe put them together next time.

[113] **David Rees:** Does any other Member have a question? No further questions on this particular topic, Minister. We have another session with you on the compliance report on the rights of the child. So, if it’s okay with you, we’ll have a 10-minute break now and then we’ll move on to the next session.

[114] **Lesley Griffiths:** Okay.

[115] **David Rees:** I suggest we have a 10-minute break and reconvene at

10:20.

*Gohiriwyd y cyfarfod rhwng 10:07 a 10:19.
The meeting adjourned between 10:07 and 10:19.*

**Craffu ar Waith y Gweinidog Cymunedau a Threchu Tlodi mewn perthynas â'r Adroddiad ar Gydyffurfiaeth â'r Ddyletswydd o dan Adran 1 o Fesur Hawliau Plant a Phobl Ifanc (Cymru) 2011
Scrutiny of the Minister for Communities and Tackling Poverty on the Report on the Compliance with the Duty under Section 1 of the Rights of Children and Young Persons (Wales) Measure 2011**

[116] **David Rees:** Good morning. Could I welcome everyone back to this morning's session of the Children, Young People and Education Committee? We move on to the next item on the agenda, which is an evidence session with the Minister for Communities and Tackling Poverty in relation to compliance with the UNCRC and the due regard duty. We will go straight into questions, Minister, if that is okay with yourself. We will start with Angela.

[117] **Angela Burns:** Thank you very much, Chair. Minister, this is a much more general question, and it's asking you for a strategic view on whether or not you believe that the Children's Commissioner for Wales actually has enough physical resource, in terms of funding and people, to effectively scrutinise Welsh Government compliance with the United Nations Convention on the Rights of the Child.

[118] **Lesley Griffiths:** Yes, I do, is the short answer. Clearly, we are in very difficult financial times. I'm probably 100 per cent positive that the children's commissioner will probably come and say she could do with more funding and resources, of course. But, certainly, I had discussions with regard to this with Keith Towler before he left, and I think they were very happy with the resources needed. I know she's looking at the way her office is structured; obviously, you would expect a new commissioner—. In fact, I met her on the train coming back from Swansea a couple of weeks ago and, clearly, that is something that's being looked at. She's got an office in north Wales and I know she's looking very much—as are all public organisations—at better use of resources.

[119] **Angela Burns:** I know that our children's commissioner is quite unusual in that she does casework or there's an element of casework. We

spoke in the earlier session about the requirement to try to involve the children's commissioner much more in policy development, and now we talk about the compliance report on the rights of the child, which, I have to say, I think is something that Wales should be very proud of—that we adopted this so early on. But, all of it—and I know how small, relatively speaking, her office is, and I'm certainly not making a pitch on her behalf, but I just—. When I read the compliance report, I did have to ask myself just how well she, we and others are really able to dig into the Welsh Government to do this scrutiny and to ensure that we are complying with the rights of the child. I don't know the rights of the child to the absolute nth degree, but there are some areas, like budgeting, and I know when Lynne and I sat on a previous committee, we looked at how budgeting for children's requirements was something that the Welsh Government signally failed to do because it had to be across the piece. There's no distinct Minister for children; there's no distinct portfolio where everything to do with children sort of sits, if you like.

[120] So, I just have to challenge you again as to whether or not you really think that this is more than cosmetic and that there is an ability for all organisations to really squirrel in and to see, and also because it's about compliance. So, it's not a proactive thing. It's not about sort of saying, 'Let's influence policy, let's come up with this idea or that idea, or lobby you with a particular issue that we have'; this is about just ensuring that we're meeting sort of standards. I do have that concern, when I read the report, that it was actually, that there might be—and I don't know how to say this nicely, so I don't mean to be unkind—but there was perhaps a small element of tokenism in it. I would just like your assurance on that.

[121] **Lesley Griffiths:** Well, certainly—. I'm trying to think if I've had discussions outside with other organisations. As I say, I mentioned that I'd had the discussion with Keith Towler and that wasn't an issue that was raised with me. I don't know, Elin, if you've had any discussions with anyone in relation to that.

[122] **Ms Gwynedd:** We've spoken before about how the commissioner arranges her office and prioritises her staff. It's a matter for her in terms of funding and whether she has enough funding. I know that the Public Accounts Committee have met with her and, as a result, she's put things like reserves policies in place. I don't ever remember the children's commissioner coming to us asking for additional funding in any way to take this matter forward. I know that she has a policy team that actually focuses very much on the very thing that you were raising there; you know, squirreling in and

looking really into policy, getting involved at a much earlier stage. Of course, it's not just the children's commissioner; it's also children's organisations that we were work with, such as Save the Children and Children in Wales—you know, all these other organisations that have an interest—and we meet with them regularly to make sure that they're involved in our work to do with children's rights.

[123] **Angela Burns:** Thank you.

[124] **David Rees:** Simon?

[125] **Simon Thomas:** Os gallaf ofyn, Weinidog, a ydych chi'n credu bod y Mesur sydd gennym ni ar hyn o bryd, gan gofio bod y Mesur wedi'i basio mewn cyd-destun lle'r oedd y Cynulliad yn deddfu'n wahanol iawn i'r system bresennol, yn rhoi ystod o bwerau angenrheidiol a'r cynsail deddfwriaethol angenrheidiol i'r gwaith ar draws y Llywodraeth ac wedyn i waith y comisiynydd hefyd yn adolygu'r gwaith hwnnw?

Simon Thomas: If I can ask, Minister, do you believe that the Measure that we currently have, remembering that the Measure was passed in a context where the Assembly legislated in a very different way to the current system, give the necessary range of powers and the necessary legislative basis for cross-Government work and then for the work of the commissioner in reviewing the Government's work?

[126] **Lesley Griffiths:** Sorry. I didn't get the end bit.

[127] **Simon Thomas:** A ydych chi'n meddwl bod y sefyllfa gyfreithiol bresennol statudol yn rhoi'r pŵer i chi i sicrhau cydymffurfiaeth ar draws y Llywodraeth, a'r ystod iawn o bwerau i'r comisiynydd i ddal y Llywodraeth i gyfrif—ac awdurdodau eraill, ond dim ond craffu ar y Llywodraeth yr ydym ni yn y fan hon?

Simon Thomas: Do you believe that the current legislative statutory situation gives you the powers to ensure that there is compliance across Government, and gives the commissioner the range of powers to hold the Government to account—and other authorities, of course, but we are only scrutinising the Government here?

[128] **Lesley Griffiths:** Sorry, yes, I do, and, certainly, the discussions I've had with ministerial colleagues have reassured me on that point. Again, I've only had, you know, very tentative discussions with the current commissioner about it, but it's not something that she's raised as a concern.

[129] **Simon Thomas:** A ydy hi wedi codi gyda chi, felly, yr hyn mae hi wedi codi mewn tystiolaeth, sef bod y ffordd mae hi'n gorfod craffu ar y Llywodraeth yn ddull lletchwith, braidd? Mae hi'n cael ei harwain i mewn i graffu ar y gwaith rŷch chi'n ei wneud drwy gwynion a gwaith achos, o bryd i'w gilydd, edrych ar gam-arfer neu broblemau, efallai, fel rŷm ni eisoes wedi trafod, ac, efallai yn hwyr yn y dydd, bydd yn gweld bod polisi'n datblygu i mewn i ddeddfwriaeth a ddylai fod yna ystyriaeth wedi cael ei gwneud yn gynharach yn y broses yna. Hynny yw, mae'n cael ei harwain gan y broses, i raddau helaeth, oherwydd strwythur y ddeddfwriaeth, yn hytrach na chael ei harwain gan ddull cyd-destun—megis prif arolygydd Estyn, er enghraifft, mewn cyd-destun arall. Byddai rhywun fel yna yn cael ei arwain gan bwerau eang i edrych ar arfer da, edrych ar y ffordd y mae pethau'n cael eu gwneud, ac wedyn yn ymyrryd mewn ffordd fwy strategol.

[130] Beth sydd ar goll, yn fy marn i, o waith y comisiynydd hyd yma yw'r gorolwg strategol yma o bryd i'w gilydd. Mae'n cael ei harwain yn ormodol gan y problemau, yn hytrach nag ei bod hi'n edrych ar y gorwel a gweld beth yw'r tirlun ar gyfer gwaith hawliau plant.

[131] **Lesley Griffiths:** As I say, it's not something that she's raised with me. I am due to meet her again—I'm not sure if you were here when I said I'm

Simon Thomas: Has she raised with you, therefore, what she's raised in evidence, which is that the way that she has to scrutinise the Government is a slightly cumbersome way of doing it? She is led into scrutiny of the work that you do through complaints and casework, from time to time, looking at malpractice or problems, perhaps, as we've already discussed, and, perhaps late in the day, she will see policy being developed into legislation and there should have been consideration earlier on in that process. She is led, therefore, by the process, to a great extent, because of the structure of the legislation, rather than being led in a contextual manner, in the same way as Estyn's chief inspector, to give an example from another context. Someone like that is led by wide-ranging powers to look at good practice, to look at the way that things are done, and then to intervene in a more strategic manner.

What's missing, in my opinion, from the commissioner's work up until now is this strategic overview from time to time. She is being led too much by the problems, rather than looking at the whole picture and seeing what the landscape is in terms of children's rights work.

due to meet her again next month. So, you know, if it's something she wants to raise with me, she can. She hasn't raised the fact that she thinks further primary legislation is required, for instance, but I suppose it's quite early days in her tenure, really.

[132] **Simon Thomas:** Ocê. So, ar hyn o bryd, nid ydych chi o'r farn bod angen deddfwriaeth sylfaenol pellach ac nid yw hi wedi codi hynny gyda chi. A oes gyda chi, felly—. Beth sydd gennych chi o ran tystiolaeth a sicrwydd bod y Mesur presennol wedi newid yr agwedd tu fewn i'r Llywodraeth ac wedi newid y dulliau o lunio polisi? Rydym wedi clywed rhywfaint eisoes gan eich swyddogion am y broses yna, ond a ydych chi wedi bod mewn sefyllfa lle rŷch chi wedi casglu'r wybodaeth yna ac yn gallu profi a dangos i'ch cydweithwyr yn y Llywodraeth, 'Wel, dyma werth dilyn y Mesur; dyma'r gwahaniaeth rydym ni wedi ei wneud drwy'r Mesur hwn'?

Simon Thomas: Okay. So, at present, you're not of the opinion that there needs to be further primary legislation and she hasn't raised that with you. Do you therefore—. What do you have in terms of evidence and certainty that the current Measure has changed attitudes within the Government and has changed the methods of forming policy? We've heard from your officials about that process already, but have you been in a position where you have gathered all of that information together and can prove and show to your colleagues in Government, 'Well, this is the value of implementing the Measure; this is the difference we've made through this Measure'?

[133] **Lesley Griffiths:** Well, I think one of the things is that the CRIA process is facilitating greater scrutiny, for instance, particularly in legislative scrutiny, I think. The Well-being of Future Generations (Wales) Act 2015 is a classic example of that. I think, very importantly, officials have taken, you know—. A great deal—I think it's about 3,000 now—of officials have had online training in relation to the process. We've had other organisations asking if they can replicate the training. So, I think the way that decisions are taken—. We've seen evidence of better scrutiny. I've written—somebody raised before, I'm not sure if it was Angela, that there isn't a specific Minister for children. Well, you know, I'm the Minister for children, I've got lead responsibility, but issues around children are for everybody, and I have written to ministerial colleagues, certainly once, if not twice, reminding them of that responsibility as they form decisions.

[134] **Simon Thomas:** A ydy'r materion hyn yn cael eu trafod yn y

Simon Thomas: Are these matters discussed within the Cabinet

Cabinet yn benodol fel materion specifically as matters relating to
plant? children?

[135] **Lesley Griffiths:** Yes, I'm sure I've raised them at different times, but, as I say, I have specifically written to Ministers to remind them of those duties also.

[136] **Simon Thomas:** Y cwestiwn olaf jest ar hwn yw: pa waith a ydych chi'n ei wneud fel Llywodraeth i edrych tuag at y dyfodol? Rwy'n deall bod y Cenhedloedd Unedig yn adolygu'r broses o dan y cynllun hawliau plant a'u bod nhw hefyd yn cadw'r peth dan ystyriaeth. Ond, wrth gwrs, y wladwriaeth sy'n barti yw'r Deyrnas Gyfunol, felly, sut ydych chi fel Llywodraeth Cymru yn dylanwadu ar y broses yna? Achos, am wn i, byddech chi'n dweud bod arfer da fan hyn yng Nghymru a'n bod ni eisiau dylanwadu ar y broses yna ond hefyd dysgu oddi wrth hynny i wneud yn siŵr bod unrhyw newidiadau ar lefel y Cenhedloedd Unedig yn adlewyrchu'r profiad yng Nghymru a'n bod ni hefyd yn gwybod yn gynnar beth sydd yn debygol o ddigwydd fel ein bod ni'n gallu mireinio fan hyn beth sy'n digwydd.

Simon Thomas: The final question just on this point is: what work do you do as a Government to look to the future? I understand that the UN are reviewing the process under the children's rights scheme and that they are also keeping this matter under consideration. But, of course, the state party is the UK, so, how do you as the Welsh Government influence that process? Because, as far as I'm aware, you would say that there is good practice in Wales and we would want to influence that process, but also to learn from that to ensure that any changes on the UN level do reflect experiences in Wales and that we also know very early on what's likely to happen so that we can refine what we do here.

[137] **Lesley Griffiths:** Obviously, the legislation does allow us to revise the children's rights scheme at any time. It was recently revised, I think, just before I came into portfolio last year. You mentioned the UK state party; that's due to be scrutinised next June in 2016, so, I would imagine—. The next administration, obviously, will perhaps revise the scheme or review the scheme at that time.

10:30

[138] **David Rees:** Aled, on this point.

[139] **Aled Roberts:** Rydych newydd gyfeirio at yr asesiad effaith ar hawliau plant wrth ymateb i Simon. Rwy'n derbyn bod y gyllideb yn mynd i fod yn broblem eleni achos yr adolygiad ar lefel Brydeinig, nad yw'n dod allan tan ddiwedd y mis, ond llynedd mi oedd yr asesiad yn rhan o asesiad strategol ehangach ar gydraddoldeb yn hytrach nag asesiad penodol ar hawliau plant. A yw'n fwriad gan y Llywodraeth eleni i gyhoeddi asesiad ar yr effaith ar hawliau plant fel rhan o'r gyllideb drafft? Mi oedd sôn bod hynny'n cael ei hystyried o'r blaen, ac nid wyf yn gwybod os ydy hynny wedi cael ei ddatblygu o gwbl o ran syniad yn y Llywodraeth.

Aled Roberts: You have just referred to the children's rights impact assessment in responding to Simon. I accept that the budget will be a problem this year because of the review at a UK level, which won't be released until the end of the month, but last year the assessment was part of a wider strategic equality assessment rather than a specific assessment on children's rights. Does the Government intend this year to publish a children's rights impact assessment as part of the draft budget? It was mentioned that that was considered previously, and I'm not sure whether that is being developed at all as an idea within the Government.

[140] **David Rees:** Minister, we will be having questions on children's rights impact assessments afterwards, so we will move on to that. But if you answer this one point and then we'll move on to that.

[141] **Lesley Griffiths:** I think probably not. I think we'll do the same as last year. Obviously, we have got a problem this year with the comprehensive spending review being so late, but I think we will have a whole-impact assessment.

[142] **David Rees:** Okay, so we'll move on to children's rights impact assessments. Lynne.

[143] **Lynne Neagle:** Thanks, Chair. One of the things that the committee has consistently raised with successive children's Ministers is the need to publish all the CRIAs, which is something that still isn't happening. Have you got any comment on that, and is it your plan to actually change that policy and ensure that all CRIAs are routinely published?

[144] **Lesley Griffiths:** Well, prior to my coming into post—and I remember being a Minister with responsibility for doing this—all Ministers agreed to

make CRIAs publicly available. I think this was very much welcomed by children's organisations and stakeholders. We've not been prescriptive about when a CRIA document should be published and, if it's in relation to legislation, I think it's much better for it to be alongside that legislation. It's very important that CRIAs aren't taken out of context. I think, if members of the public want to find a CRIA, for instance—and I do accept, because I've looked, that it was difficult to find. So, we have taken steps to make it more easily available. So, for instance, we've got a new web page now and officials have contacted Google, because if you Googled it, which I did, you came up with something very out of date. So, now, we've been in touch with Google, and you would come to the correct page.

[145] You'll be aware we've got CRIA newsletters, and people can sign up to CRIA newsletters and, again, it was quite difficult to find where you could sign up for that CRIA newsletter by e-mail. So, we've made that much simpler now. So, for legislative process, we've got a much more prescriptive way forward, and the CRIA is published on the web page that relates to that piece of legislation. In relation to non-legislative decisions, all CRIAs are listed on a newsletter, and they're all publicly available.

[146] **Lynne Neagle:** I welcome the assurances about the legislation, as I think that's a step forward, but is it something you would consider, then, just to routinely publish the CRIAs at the same time as they are completed, for everything?

[147] **Lesley Griffiths:** I'm not sure that would be helpful, because we just publish so much information. I think it's really important, as I say, not to take it out of context, but it is all publicly available.

[148] **Ms Gwynedd:** Also, just to say that, the CRIAs, we encourage them to be live documents. We encourage them to be updated regularly as the policy develops—so, to publish at a certain point. The other reason we're making them publicly available is that we can give people the latest version when they ask. Policy is not like legislation; there's not the same timetable. So, we can give the latest version on request.

[149] **Lynne Neagle:** Thanks.

[150] **David Rees:** John.

[151] **John Griffiths:** Could I ask, Chair, what sort of relationship there is

with the future generations Act, for example? It seems to me that, if we are going to take a long-term view, we'd be very much thinking about early years in terms of where we spend money and Government policy and strategy, because I think it's very well established that the early years are absolutely vital for the whole life course. It seems to me that there should be some sort of relationship, I think, between the ambitions of the future generations Act and children's rights impact assessments and the generality, really, of Welsh Government policy and how it's evaluated and performed.

[152] **Lesley Griffiths:** Yes, absolutely. Obviously, the future generations Act has the goals, and it's very important that we take those into consideration. I think the way that the CRIAs have been done—and Aled mentioned the budgets, about having the impact assessment—. I think the whole point of the CRIAs is to change the culture of how Ministers come to decisions, and the thinking. I would like to see them evolve so that they are included with all the impact assessments, in the way that the budgets are. I wouldn't imagine—I don't know—that, five years down the line, CRIAs would be separate. I think it would evolve into a whole thing. I think the future generations Act will enhance that, really.

[153] **David Rees:** Do we know whether they are changing the culture? Because, clearly the CRIAs are there to assess the impact of any decision upon the child, and you say you want to ensure that's part and parcel of the normal process, effectively, but do we know whether they actually are achieving the outcome?

[154] **Lesley Griffiths:** I think it is, but from the point of view that it's facilitating greater scrutiny. So yes, I do think it is having an impact, and the fact that all Ministers have to think about it I think is really important. But I would hope that, in the future, as I say, it just becomes the norm.

[155] **David Rees:** I'll move on to questions on the oversight of the duty to have due regard. Suzy.

[156] **Suzy Davies:** Yes, thank you. I want to ask you a little bit about internal processes, but I want to go back to a point raised by Angela, if I may, to start with, about this idea of a discrete children's Minister. I appreciate you have responsibility for that, but you have responsibility for an awful lot of other things as well.

[157] **Lesley Griffiths:** I do.

[158] **Suzy Davies:** Mike Shooter, in his review, said that

[159] ‘although we now have plenty of law related to children’s rights, we seem to be losing the structures to ensure their implementation.’

[160] So, it’s not a criticism at all of the current position—of your position, if you like—but it’s identifying an opportunity to bring everything together in one place. Do you think there’s merit in that view? Particularly from the point of view of outside bodies trying to squirrel in, as we say.

[161] **Lesley Griffiths:** No, I don’t. I know you don’t accept it is a criticism; I’m sure we’d be criticised. Imagine if we had a Minister for everything. You couldn’t. Your portfolios have to involve more than one thing. Obviously, I am the Minister with responsibility for children, but it’s everybody’s business. It’s every Minister’s business. But I think that we’re small enough as a Government that organisations do know the right person to go to, so I’ve never had that criticism from an outside organisation.

[162] **Suzy Davies:** I just wanted to know whether there’d been something like that, so that’s quite helpful to know. Bearing in mind that all Cabinet members have a responsibility to ensure that due regard is observed, you mentioned earlier that you remember writing two letters to Ministers to make sure that they’d done this. I’m sure that there’s more to it than that.

[163] **Lesley Griffiths:** Oh yes.

[164] **Suzy Davies:** I’m just wondering if you could tell us a little bit about the two teams that are responsible for helping you in this, and what they actually do.

[165] **Lesley Griffiths:** I do have two teams. I have the group, the implementation group, and the group that looks at the—

[166] **Ms Cassidy:** The children’s rights group.

[167] **Lesley Griffiths:** The children’s rights group, yes. I’ll ask Elin to say a bit more about that, I think.

[168] **Ms Gwynedd:** My branch is about driving children’s rights forward, ensuring that the training’s in place, and ensuring that we are a point of

contact to support and enable people to think. The prompts in the children's rights impact assessment help, and my team updates the CRIA. For example, we've just updated it to include a prompt about child poverty, and to strengthen that much more, working with the child poverty team. So, in our job, we're constantly on the phone to people, constantly meeting people face to face to just look at policy, to ask the right questions to enable people to think for themselves. Our role is not to say that somebody's done a CRIA well, or not well. It's for the policy leads to develop it themselves, so that the culture does change in the longer term and they don't become dependent on certain teams.

[169] The children's rights scheme group is from across Government, and it is key people in the operations team and in training. They're the central hub to different groups of people across Government, and they're the champions for children and young people. They go to their own team meetings, they meet with their own directors, they arrange training that we can attend, or they arrange training that we would have subcontracted for them to attend. So, having those in the different groups has enabled us to gather the information from across Government for the compliance report, for example. That's—

[170] **Suzy Davies:** Have you met—sorry—have you met any, I don't mean belligerent resistance here, but a sort of benign ignorance, in some departments? I'm not asking you to say who they are, but some that are slightly less easy to work with, shall we say.

[171] **Ms Gwynedd:** Well, surprisingly, no. I think once you show people the UNCRC and the intention of the UNCRC, they probably consider themselves, 'Well, we have children, I know children', and, actually, once you show them the intention of the UNCRC, there's very little resistance actually. I think it's more of, 'Well, help me to do it then; show me what to do; talk me through this', and that's our role to do that.

[172] **Suzy Davies:** Okay. So, we should see this cultural change pretty much mainstream fairly soon, I would hope.

[173] **Ms Gwynedd:** I think that the compliance report captures a lot of that.

[174] **Suzy Davies:** Okay. I've got a reason why I asked that, because it's a point, I know, that has concerned Assembly Members before, that while this place, and I include the Welsh Government in this, is very aware of its UNCRC

due regard obligations, many of our public bodies don't directly sign up to the UNCRC, and yet they are asked to deliver Government policy, and a lot of that is supported by the Assembly. There's a point there where all the due regard in the world at this end of operations can completely disappear once it goes into public services. So, how much of a role do those two bodies have in oversight of the delivery of Government policy by third parties, and the role of the due regard then?

[175] **Ms Gwynedd:** I don't feel really that it is our role. As long as it's taken on board by Government, and it's taken on board in policies, and therefore in legislation, and subsequently in regulations and the guidance that follows to public bodies, then, in effect, it filters through, and then there's a role for Government to monitor that guidance, to monitor the implementation.

[176] **Suzy Davies:** I completely accept what you say, but then we go to that critical point that you just mentioned: how does Welsh Government then monitor the delivery of this myriad of policies and legislation, to make sure that the due regard is actually observed by the people who are doing the delivery?

[177] **Ms Gwynedd:** There's no due regard duty on public bodies, as such.

[178] **Suzy Davies:** I appreciate that, but the due regard filters down, as you say. They will be observing it, because they almost have to anyway, but I suspect that's not happening, and I'm wondering whether there's been any work done on that at Government level, to make sure that when you're asking, let's say a local authority, to carry out a particular piece of policy work, that the due regard is actually observed by them.

[179] **Ms Gwynedd:** I would say that, again, with the future generations Act, and the fact that there's new guidance going to out to public service boards, as they will become, the UNCRC features very much in that. The public service boards, as you will know, is a collection of chief executives and leaders in public services coming together for the purposes of making lives better in an area, and the UNCRC features very much in this. And I think that the monitoring would happen through that, to a large extent.

[180] **Suzy Davies:** Of course, we need to make sure that guidance is observed; that it's not just sitting there on a piece of paper.

[181] **Lesley Griffiths:** I think the work we did in revising the tackling child

poverty strategy also took that into consideration, and also the work we're doing about raising awareness of the UNCRC. Local authorities, for instance, have been very involved. Now, I can't affect local authorities' policies, but I think it's really important that we offer them that option of training, and I think they've taken it up—I think all 22 now have taken it up.

[182] **Suzy Davies:** That's encouraging.

[183] **Ms Gwynedd:** Yes; local authorities deliver a lot of training on the UNCRC. We've visited all 22 and it's surprising how much they get the word out there, and, so, our role is to provide them with resources and support to do that.

[184] **Suzy Davies:** I'm encouraged by that; perhaps the take-up is slightly inconsistent, but thank you very much for your answer; it's very helpful.

[185] **David Rees:** Aled.

[186] **Aled Roberts:** Rwyf eisiau edrych ar ffigurau hyfforddiant yn y papur rydych wedi ei roi ger ein bron ni. A ydych chi'n siomedig o gwbl efo ymateb rhai o'r sectorau yma? Rwyf yn edrych yn arbennig ar chwaraeon, lle dim ond dau sydd wedi mynychu hyfforddiant ers Rhagfyr 2013, wyneb yn wyneb. A oes unrhyw ofynion gan Lywodraeth Cymru ar gyrff sydd yn derbyn arian cyhoeddus eu bod nhw'n sicrhau, hyd yn oed os nad ydyn nhw'n defnyddio'r hyfforddiant rydych chi'n ei gynnig, fod eu staff nhw yn ymwybodol o ofynion y confensiwn?

Aled Roberts: I want to look at training figures in the papers you've put before us. Are you disappointed at all with the response of some of these sectors? I'm looking specifically at sport, where only two have attended training since December 2013—that's face-to-face training. Are there any requirements by the Welsh Government on bodies that receive public funding that they do ensure, even if they don't use the training that you provide, that their staff are aware of the requirements of the convention?

[187] **Lesley Griffiths:** Yes, that's something that we're certainly looking at. We have enhanced the training. I know there's a new programme of training going out between now and Christmas. I've just, not long ago, announced, I think it was £120,000 for three years, to provide further training, and I do think that if you are in receipt of public funding, then you certainly should attend the training. It's certainly something that I've been encouraging

everybody to do. Do you want to say anything about sport in particular?

[188] **Ms Gwynedd:** I think if you're referring to—. I'm not sure—

[189] **Aled Roberts:** Tudalen 74 yn y pecyn. **Aled Roberts:** Page 74 in the pack.

[190]

[191] **Ms Gwynedd:** Training for officials internally.

[192] **Aled Roberts:** No, this is—

[193] **David Rees:** It's page 3 of your submission. The table.

[194] **Aled Roberts:** Niferoedd sydd wedi mynychu hyfforddiant. Sector, maen nhw'n sôn amdano, meddwl. **Aled Roberts:** Numbers who have attended training. They're talking about sectors, I think.

10:45

[195] **Lesley Griffiths:** Sectors.

[196] **Ms Gwynedd:** Yes, so, actually, I think it does refer to internal training for different sectors within the Welsh Government, and while that's formal training—

[197] **Aled Roberts:** Na, nid wyf yn meddwl mai hynny—. Rwy'n meddwl mai'r ffigwr nesaf sy'n sôn am staff Llywodraeth Cymru. Rwy'n meddwl bod hwn yn sôn am y sector gwirfoddol, a dim ond dau gorff chwaraeon sydd wedi ymgymryd ag unrhyw hyfforddiant. I feddwl eu bod nhw yn darparu lot o wasanaethau ar gyfer plant a phobl ifanc, mae hynny'n siomedig iawn, a dweud y gwir. **Aled Roberts:** No, I don't think that that's—. I think that the next figure mentions staff within Welsh Government. I think that this is about the voluntary sector, and there are only two sports bodies that have undertaken any training. To think that they provide a lot of services for children and young people, that's very disappointing, to be honest.

[198] **Lesley Griffiths:** Yes, it is disappointing.

[199] **Ms Gwynedd:** But, as the Minister says, we've got this new programme of training that's going out now. It's three years, its sector specific, and I think that sports is one of the sectors that they will be focusing on.

[200] **Aled Roberts:** Os ydym ni'n symud at Lywodraeth Cymru ei hun, nid yw'n glir o'r ffigwr rydych chi wedi ei baratoi ar dudalen 4—. Mae hyn yn dangos y ffigurau rhwng 1 Mai a 30 Ebrill 2015, lle rydych chi'n dweud bod dros 1,000 wedi derbyn hyfforddiant wyneb-yn-wyneb, ond tri yn y gwasanaethau cyfreithiol sydd wedi derbyn hyfforddiant. A ydy hynny o achos bod rhan helaeth ohonyn nhw wedi derbyn hyfforddiant cyn Mai 2014, neu a oes yna broblem mewn rhai adrannau?

Aled Roberts: If we are moving towards Welsh Government itself, it's not clear from the figure that you've prepared on page 4—. This shows the figures between 1 May and 30 April 2015, where you say that over 1,000 have received face-to-face training, but only three from legal services have received training. Is that because a majority of them have had training prior to May 2014, or is there a problem in certain departments?

[201] **Ms Gwynedd:** The whole of the legal team actually have done bespoke training on the UNCRC, so, in terms of the information that you have in the paper, it was done after the full Measure came into effect.

[202] **David Rees:** And that is mentioned in that paragraph. It says this is in addition to bespoke training, in the last sentence.

[203] **Aled Roberts:** Yes.

[204] **David Rees:** Okay, thank you. Keith.

[205] **Keith Davies:** I ddilyn lan ar beth roedd Aled yn ei ddweud, un o'r pethau rŷm ni'n edrych arny'n nhw nawr yw hyfforddi athrawon, gan edrych ar gyrsiau dwy flynedd ac yn y blaen. Sut allwn ni sicrhau bod hawliau plant yn cael eu cynnwys nawr yn hyfforddiant athrawon, achos rŷm ni'n sôn am filoedd ar filoedd wedyn?

Keith Davies: Just to follow up what Aled was saying there, one of the things that we're looking at now is the training of teachers, looking at two-year courses and so on. How can we ensure that children's rights are included now in training for teachers, because you're talking about thousands upon thousands then, aren't we?

[206] **Lesley Griffiths:** Yes, that's a discussion that I'm having with the Minister for Education and Skills. I know we've put something on the hub now, as well, for current teachers, and we're getting a lot of hits on that, but those are ongoing discussions, because I think it is really important that we get out as much as we can. It's not just the responsibility of Welsh Government to raise awareness of the UNCRC; I think it's down to everyone, the children's commissioner included.

[207] **Keith Davies:** Diolch yn fawr. **Keith Davies:** Thank you very much. Gallem ni fynd ymlaen, oni allem, ac We could take it further, couldn't we, hyfforddi pobl sy'n gweithio yn y and train people who work in health maes iechyd ac yn y blaen—rŷch chi'n and so on—you know, people who gwybod, pobl sy'n delio â phlant yn deal with children in general. gyffredinol.

[208] **Ms Gwynedd:** On the training, the Minister has agreed to include specific sectors, and health and education were in those sectors. The intention is to try and influence universities and university lecturers to get the initial training, as well as to catch up with those. So, it's sector specific. Instead of offering it to anybody who wants to be on it, it's actually trying to drill into those sectors and influence them, and education and health are in there.

[209] **Lesley Griffiths:** We've also refreshed the online training as well, which is very easily accessible. So, you know, we are really trying very hard to raise awareness of the UNCRC. I did take that on board when I came into portfolio, and we have done some considerable work—as I say, a new programme. I think the new programme was published—certainly, if it hasn't been published, it will be this week—for the next period up until Christmas.

[210] **David Rees:** Minister, obviously, it's very pleasing to hear you saying about the training that's going on with regard to this, and we have received information of the UNCRC's monitoring group's view that there is perhaps a lack of strategic approach to that. You've identified the sectors aspect; is that another strategic approach you're taking to training, that you are going through the sector approach and that, after the sectors you have now, there'll be other sectors to follow?

[211] **Lesley Griffiths:** Yes, absolutely. I'm not really sure about the basis of where that kind of view came from, because it covers everything. It covers communication, it covers marketing, it covers training, participation, we've

got materials, we've got resources, we do bespoke, we do sector specific; so, I'm not really sure what the basis of that view was on.

[212] **David Rees:** And can I ask also—. You've mentioned online training. I appreciate online training is a very important tool, but we need to ensure that online training is actually successful and assessed properly, and we know that people are actually benefiting from it, which is partly face-to-face. So, how much of the online training is followed up by face-to-face training to ensure that individuals understand the issues around the UNCRC?

[213] **Ms Gwynedd:** The online training is both internal and external. It's to give a taste, and it's for people to realise what the UNCRC is. It's to begin the journey. We would hope that people would follow it up. Certainly, the face-to-face training is then available for them to go on, and there's a prompt in their online training for them to look out for that. The internal one: again, it's very well-used online training across the board, not just on the UNCRC. It's just a way of learning that we use now in the civil service. Again, they are prompted, if they would want to, to go for full face-to-face training. But, I think that just to say that the face-to-face statistics don't necessarily reflect the full extent of the one-to-one and team meetings that we attend, and that we speak to people individually, as groups, as legislation teams.

[214] **David Rees:** There's always informal training that happens as a consequence of that.

[215] **Ms Gwynedd:** Yes.

[216] **David Rees:** I appreciate that. What I wanted to focus on was that, if you're doing online training, how are we monitoring it and how are we monitoring their progress on it? That's the important aspect I want to show. You say there's a tick box, effectively, to say if you want more, but are we monitoring the progress of people from that?

[217] **Ms Gwynedd:** The online training for external people to the Government has a monitoring tool on it that allows us to provide the figures that you were mentioning before: to say what sector they're in and how they found the training and to give us some feedback on it. It's quite difficult to capture it. Not everybody fills it in, as you know yourself when you do online things.

[218] **David Rees:** I always fill them in. [*Laughter.*]

[219] **Ms Gwynedd:** But, we are trying to capture it and trying to then react to it.

[220] **Lesley Griffiths:** I do think we've made significant progress in this area. I think this is the one area where we have.

[221] **David Rees:** John.

[222] **John Griffiths:** Yes, on that, Chair: we had a statement yesterday—didn't we—from the Deputy Minister for Skills and Technology in terms of youth work. I think the attempt is to try and build a more consistent and coherent approach across Wales, bearing in mind the great funding difficulties that everyone faces, including local authorities—to allow flexibility at the same time for local approaches, but within a general strategy and framework, I think, Chair. So, given that there is going to be that push and that effort from Welsh Government, I think that training and awareness of children's rights must be a central part of that. So, have those links been made?

[223] **Ms Gwynedd:** Yes, we work very closely with the youth work team; it's probably one of the places that we work the closest with. They work directly with people who work directly with lots and lots of young people across the voluntary and statutory sectors, so, yes, we work very closely.

[224] **David Rees:** Okay. Do any other Members have questions? Simon.

[225] **Simon Thomas:** Jest cwpl o gwestiynau, os caf i, Weinidog. Rwyf wedi bod yn darllen adroddiad y grŵp monitro ar y confensiwn, a gafodd ei gyflwyno yn Genefa yr wythnos hon neu'r wythnos ddiwethaf. Wrth gwrs, mae hwnnw, yn gyffredinol, yn didoli cyfrifoldebau Llywodraeth Cymru a chyfrifoldebau Llywodraeth y Deyrnas Gyfunol fel y wladwriaeth sy'n barti. Beth yw eich ymateb chi i gasgliadau cyffredinol yr adroddiad hwnnw? Fel yr ydych yn gwybod, mae'n mynd fesul cam drwy

Simon Thomas: Just a couple of questions, if I may, Minister. I have been reading the monitoring group report on the convention, which was presented in Geneva this week or last week. Of course, that report, in general, sorts the responsibilities of the Welsh Government and UK Government as the state party. What is your response to the general conclusions of this report? As you know, it does go stage by stage through different parts of the convention and notes green, amber

wahanol rannau'r confensiwn ac yn or red designations. The Government
dweud a ydynt yn wyrdd, yn amber is having a lot of amber designations,
neu'n goch. Mae'r Llywodraeth yn which are basically a warning that
cael llawer iawn o amber yn yr things are not being done properly or
adroddiad hwn, sef rhybudd nad yw entirely. What's your response to
pethau'n cael eu gweithredu'n llwyr. that?
Yn gyffredinol, beth yw eich ymateb
chi i'r adroddiad?

[226] **Lesley Griffiths:** Well, I think they are being done properly. I mentioned that I think there's a much greater scrutiny now of all decisions—of policy decisions, of legislative decisions. So, I don't accept that.

[227] **Simon Thomas:** Nid wyf yn **Simon Thomas:** I am not going to
mynd i fynd fesul un, er bod gennym look at them one by one, although
ni 35 munud ac fe allwn fynd fesul un we do have 35 minutes and I could
drwyddyn nhw efallai. Ond, jest i look at them one by one. But, just to
gymryd un, sef *Government co-* take one, Government co-ordination:
ordination:

[228] 'effective coordination of the implementation of the Convention
throughout the State party'—

[229] rwy'n gwybod mai'r *state party* I know that the state party is the
yw'r Deyrnas Gyfunol— United Kingdom—

[230] 'including locally', including the determination of priorities and
budgets. Welsh Government responsibility: amber.

[231] Mewn cyd-destun o doriadau In a context of cuts in public funding,
mewn arian cyhoeddus, ac mewn where child poverty is increasing in
cyd-destun lle mae tlodi plant yn Wales, and certainly is not being
cynyddu yng Nghymru, ac yn sic beaten, to have a report where your
ddim yn cael ei drechu, mae cael cohesion in this matter is only
adroddiad sydd yn dweud bod eich amber—. You would have hoped to
cydlyniant chi ar y mater hwnnw ond have green there, surely.
yn ambr—. Byddech chi wedi
gobeithio cael gwyrdd yno, does
bosib.

[232] **Lesley Griffiths:** Well, yes, of course I would hope to have green. You

know, the way that the budget was done last year, to have that whole strategic impact assessment: we plan to do the same with the draft budget this year. I know there's been criticism because a variety of Ministers are responsible—well, every Minister is responsible for children in some way. I think that's the best way of doing it. But, yes, of course we would want it to be green, and it's something I'm certainly very happy to look at going forward.

[233] **Ms Gwynedd:** Just to also say that the UNCRC monitoring group haven't shared the report with us, but I'm not sure that it's particularly helpful, the red-amber-green way, because it doesn't allow for constructive criticism in the way—'Keep this; this is really good, but you need to work on this'. It's just a blanket amber—

[234] **Simon Thomas:** Well, this is what I'm trying to understand, really, without going through it line by line. How is this report going to help you improve the way you're delivering the rights of the child and the convention throughout Welsh Government? Is it a report that you simply look at and think, 'Well, these people haven't talked to us. They haven't got a clue what's really going on', and you ignore it? Or is it a report that you're going to use as a tool to change the way you implement policies within Government? I mean, in what way is this now going to—? Because this has certainly been central to Assembly Members. This is a kind of easy hit for me. I can go through every one of these and say that you're not doing very well on lots and lots of things. But, you know, how are you going to use it to improve your delivery under this convention?

[235] **Lesley Griffiths:** Certainly, I'd be happy to use it as a tool. I have met with a couple of the members of the group, a few months ago now, and discussed aspects of it, but, certainly, when it is shared with us, of course we'll use it as a tool and see where we can improve.

[236] **Simon Thomas:** There's one specific thing—this is my final question—that it does refer to, and I would like to press you on this one, and that's the use of corporal punishment for children, and reasonable chastisement. That, as you know, is something that the convention and the people who monitor the convention are very concerned about. What's the latest position of the Welsh Government regarding your approach on that issue?

[237] **Lesley Griffiths:** Well, nothing has changed since the last statement. We continue to promote positive parenting. We've enhanced our positive

parenting campaigning materials, for instance, and it's a discussion that I have with many of the children's organisations. We don't feel we have the mandate to legislate this term. There is no time in the legislative programme. But I am—and the officials know this—. We do all we can to promote positive parenting. We were doing it within our Flying Start areas, for instance. I've enhanced that. We had a launch in the summer of a further positive parenting campaign, and that's what's I'm doing.

[238] **Simon Thomas:** Will you seek a mandate for the next Assembly?

[239] **David Rees:** That's for the next Assembly.

[240] **Lesley Griffiths:** That's a matter for individual party manifestos.

[241] **Simon Thomas:** Well, I will be.

[242] **David Rees:** What you and your party will do is not for this committee to discuss at this point in time. Minister, there is one point, I think, to highlight about the report. You said that it's not shared, but it is a public report, I understand, so we should make that fully clear at this point in time.

[243] **Lesley Griffiths:** Yes.

[244] **David Rees:** Are there any further questions? There are no further questions, therefore can I thank the Minister for her attendance this morning? You will obviously receive a copy of the transcript for both sessions, and if there are any factual inaccuracies, please let us know as soon as possible. Once again, thank you very much.

[245] **Lesley Griffiths:** Thank you very much.

10:58

Papurau i'w Nodi Papers to Note

[246] **David Rees:** We move on to item 4, papers to note. We have a letter from the Minister for Education and Skills on the initial draft of the proposed additional learning needs code, to inform that the code is now published, I believe. Happy to note that? Yes. And the additional information from the regional school effectiveness improvement service for north Wales, following

the meeting on 24 September. Happy to note that? And the additional information from the education achievement service for south-east Wales following its meeting on 16 September. Are we happy to note that? Thank you.

10:59

**Cynnig o Dan Reol Sefydlog 17.42(ix) i Benderfynu Gwahardd y
Cyhoedd o Weddill y Cyfarfod
Motion Under Standing Order 17.42(ix) to Resolve to Exclude the
Public from the Meeting for the Remainder of the Meeting**

Cynnig:

Motion:

*bod y pwyllgor yn penderfynu that the committee resolves to
gwahardd y cyhoedd o weddill y exclude the public from the
cyfarfod ac ar gyfer yr holl gyfarfod remainder of the meeting and for the
ar 22 Hydref yn unol â Rheol Sefydlog whole of the meeting on 22 October
17.42(ix).*

*in accordance with Standing Order
17.42(ix).*

Cynigiwyd y cynnig.

Motion moved.

[247] **David Rees:** Under Standing Order 17.42, I now move to resolve that we exclude the public from the remainder of this meeting and for the whole of the meeting on 22 October. Are Members content? Then we will move into private session.

Derbyniwyd y cynnig.

Motion agreed.

Daeth rhan gyhoeddus y cyfarfod i ben am 10:59.

The public part of the meeting ended at 10:59.