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Y Pwyllgor Cymunedau, Cydraddoldeb a Llywodraeth Leol

Communities, Equality and Local Government Committee

Ymchwiliad Legacy

Legacy Inquiry

Ymateb gan: NSPCC

Response from: NSPCC

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Christine Chapman AM, Chair
Communities, Equalities and Local Government Committee
National Assembly for Wales
Cardiff Bay
Cardiff
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Dear Christine

RE: Communities, Equality and Local Government Committee Legacy – NSPCC response on Committee Recommendations relating to safeguarding.

Thank you for your letter of 31st July 2015 seeking the views of NSPCC Cymru/Wales on Committee Recommendations relevant to our core priorities of keeping children safe from abuse and neglect. For the purposes of this consultation we will focus our comments on recommendations made in the ***Committee’s Stage One Report on the Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015.***

NSPCC Cymru/Wales welcomed the opportunity to provide evidence during the scrutiny process of the Violence Against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015. We welcome this landmark legislation and the opportunity it provides to improve the public sector response and raise further awareness of domestic abuse and violence against women to prevent abuse and better protect and support survivors in Wales.

Witnessing domestic abuse is child abuse, and teenagers can suffer intimate partner abuse in their relationships and we know that domestic abuse can seriously harm children and young people. NSPCC Cymru/Wales’ evidence throughout the Bill was aimed at ensuring the direct and indirect impact of violence against women, domestic abuse and sexual violence was recognised in the new legislation. We therefore particularly welcomed Recommendation 2 of the committee:

- **Recommendation 2.** We recommend that the Minister amends the Bill in the following ways:

...

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- to specifically refer to the direct and indirect impact that violence against women, domestic abuse and sexual violence has on children, regardless of their gender. (Page 18)

We are pleased the Act applies to children and we agree that the specific impact that violence against women, domestic abuse and sexual violence has on children needs to be an explicit consideration in the implementation of the range of measures included in the Bill. We look forward to continuing to work with Welsh Government to help shape Statutory Guidance and implementation to ensure the Act delivers on improving the outcomes of children and young people who experience domestic abuse, violence against women or sexual violence.

NSPCC Cymru/Wales also believes that everyone should understand abuse, violence and neglect and how they can be a part of preventing it. We therefore strongly support the preventative aims at the heart of this legislation. We believe that a vital part of preventing abuse will be to promote healthy, equal and consensual relationships through mandatory, whole-school, age appropriate education programmes on Healthy Relationships. We therefore strongly supported Recommendation 3 of the Committee Report:

- **Recommendation 3.** We recommend the Minister amends the Bill to make provision for compulsory, whole-school, age-appropriate education programmes on healthy relationships. (Page 25)

We are strongly supportive of and have contributed to the Welsh Government's recent consultation on Whole-school Approaches Guidance for Schools. We will also be working over the coming weeks in partnership with Professor Emma Renolds- Cardiff University, Welsh Women's Aid and with the support of the Children's Commissioner for Wales to work with young people from across Wales to produce a children and young people's guidance on Whole School Approaches. We hope that the provisions included in the Act will lay foundations for a comprehensive and robust framework for healthy relationships education to become compulsory within the education curriculum. In accordance with the Minister's statement during the passage of the Bill, we hope the implementation of the recommendations in Professor Donaldson's Review of the Curriculum in Wales will be used as an opportunity to achieve this in order to fulfil every child's right to consistent and high quality education on healthy relationships.

Throughout the Committee's scrutiny of this legislation, NSPCC Cymru/Wales welcomed the focus on the rights of children and young people and recognition of the importance of the UNCRC providing a guiding framework. We therefore particularly welcomed recommendations 4 and 5 of the report:

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- **Recommendation 4.** We recommend the Minister amends the Bill to make specific reference to the UN Convention on the Rights of the Child, to ensure that authorities have regard to this in complying with their duties under the Bill. (Page 28)

We remain convinced that a direct duty to pay due regard to the UNCRC on the face of the Bill would have ensured that duties on Ministers under the Rights of Children and Young Persons (Wales) Measure were extended to relevant authorities in the development of national and local strategies under Section 15 of the Act. We believe situating the development of such strategies firmly within a UNCRC-based framework will be important to ensure that the specific needs and vulnerabilities of children and young people are taken into account in the development of strategies and services. We remain concerned at the post-code lottery of services for children who experience the range of violence and abuse that fall within the scope of the Act the forthcoming strategies it creates a duty to develop. We believe adopting a rights-based approach to local strategies and commissioning would be the first step to addressing some of the gaps and inconsistencies in the support children and young people receive. We will continue to work with Welsh Government to suggest how a child-rights approach can be built into the range of Guidance currently being developed to support implementation of the Act.

- **Recommendation 5.** We recommend that the Minister clarifies the Welsh Government's policy position in relation to the removal of the defence of the reasonable punishment of a child.

NSPCC Cymru/Wales was evidently disappointed that it was decided that this legislation was not the appropriate mechanism to amend the law on assault to afford equal protection to children. We continue to work with Welsh Government and Assembly Members to call for the removal of the defence of reasonable punishment at the earliest opportunity in accordance with recommendations of the UNCRC Concluding Observations 2008 and ahead of the next Concluding Observations due 2016.

There also remains a severe lack of evidence about what works for children. In times of austerity it is crucial that scarce funding is spent on well-evidenced practice. The NSPCC has a strong record of providing services such as Domestic Abuse Recovering Together (DART) and Caring Dads: Supporting Children (CDSC). We are determined to play our part in boosting the evidence-base on what works for children and families in mitigating the impacts of domestic abuse. Learning about what works in the fight against abuse and neglect is central to what we do. Our new Impact and Evidence Hub

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<http://www.nspcc.org.uk/services-and-resources/impact-evidence-evaluation-child-protection/> includes evaluations of the effectiveness of these programmes designed to share our knowledge about what works so that together we can help many more children. Final evaluations of both of our Domestic Abuse programmes will be available by the end of the year. If useful to the Committee, we would be pleased to arrange to present the findings at a future evidence session.

The NSPCC is also pleased that the legislation is ground-breaking in squarely situating FGM as a form of Violence Against Women. The NSPCC runs the UK national FGM helpline to provide 24/7 help, assistance and advice for anyone, professionals or individuals, who is worried a child is at risk of, or has had, FGM. NSPCC is the UK's lead child protection charity and FGM forms a key plank of our organisational strategy of keeping children safe from abuse and neglect. We campaign to raise awareness and to keep children safe from FGM, working with Governments across the UK to work jointly towards the eradication of FGM. NSPCC sits on the Wales Strategic Leadership Group and the group has recently published a new bilingual poster to raise awareness of FGM and to promote the NSPCC helpline http://gov.wales/docs/livefearfree/FGM_Helpline_A4_Leaflet_WEB.pdf?lang=en. We are also currently scoping an innovative youth participation project in partnership with Bawso that will take place during 2015/16.

We look forward to continuing to work closely with Welsh Government and Welsh Assembly Members to improve the prevention, protection and services for children who experience violence against women, domestic abuse and sexual violence as this landmark piece of legislation is implemented at a local level across Wales.

Yours sincerely,



Des Mannion
National Head of Service for NSPCC Wales/Cymru

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