Whose rights are they anyway?

Report of a one day workshop held at Swansea University on 22 September 2012, on human rights of children and young people in Wales and a UK Bill of Rights

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In Wales a law was passed in 2011 requiring Welsh Ministers to have due regard to the United Nations Convention on the Rights of the Child when making new laws and policies. From May 2014 this law will apply to the Welsh Ministers whenever they exercise any of their functions, whether making new policies, proposing new laws or anything else.

Rights of Children and Young Persons (Wales) Measure 2011

This puts the Welsh Ministers and Welsh Government in a unique position within the UK, as no other part of the UK has a law requiring ‘due regard’ to the UNCRC. This is an important point when considering some of the questions asked by the Commission on the Bill of Rights in its second consultation.

This workshop was held to enable a group of young people in Wales to learn about both the Rights of Children and Young Persons (Wales) Measure and the Commission on a Bill of Rights and to give their views about the future of human rights in Wales.

Twenty three young people came to the workshop. Their ages ranged from 10 – 20, but most were between 16 and 20. Some had attended Swansea University’s Reaching Wider summer school. Others were new to the University.

We warmed up with some group discussion about essentials for survival (some interesting results there!):
The morning was then spent thinking about what human rights were important, finding out what the participants thought were the important human rights issues facing young people today and thinking about the articles of the UNCRC that could help. We started with a rights auction but soon moved on to other things: a ‘rights tree’, interview booth, collage and even poetry.

A number of priorities were identified:

- **Discrimination**, both against children as children (excluded from the protection of the Equality Act against discrimination on grounds of age, for example in access to jobs), and against children and young people on grounds of gender, race, sexual orientation, religion, beliefs:

  ‘And it’s wrong and I think the government should and could be doing more to combat this especially with children, people don’t half get stuck in their ways and then ignore it because it’s very difficult to deal with. We definitely could be doing more to put an end to something that should be easier to solve’.

- **Body image/self – esteem, celebrity culture, privacy and mental health**:
Children should be informed that they do not need to change the way they look because at the end of the day they are going to grow up into wonderful people and they shouldn’t have to worry about changing the way they look now

- **Privacy**, for example in relation to the dangers of social media:

> These days with things like Facebook and social networking, people have less rights in their lives and pretty well everyone can see what goes on on-line so I think there should be privacy settings and people should be told how to do this

- **Voice:**

> talk to the children and listen!

> children should be listened to when deciding on which person to live with after a divorce

- **Services** – there were concerns about, distribution of further education funding, the need for respite services, support for young carers and in general about services not being available most effectively and fairly for those with most needs. There were concerns about the quality and organisation of services:

> train services properly! make services work with each other!

> social services are not efficient or reliable

- **Information and access to education**: being able to make choices about education and employment, and cuts in funding for further education and student support:
Human rights are important, and governments have the means to make sure they are protected.

As part of this exercise, participants identified which articles in the UNCRC were important for making the changes they wanted to see – and to which the Welsh Ministers would have to have ‘due regard’ because of the new law in Wales.

In the afternoon, participants moved on to learn about the Commission and its job of reporting on whether human rights law should be changed for all or a part of the UK. After discussing what the Human Rights Act already covers and what the Commission have been asked to do, we concentrated on three questions:

1. How important is the Human Rights Act for making sure your rights are protected?

Answers indicated strong views that the Act was important:

- ‘provide more funding for people who are serious about education’
- ‘more information about jobs, training and educational courses’
- ‘Human rights are important, and governments have the means to make sure they are protected.

‘protect our rights you protect our future – or you killed a generation’
‘The Human Rights Act is a piece of legislation that is very important and is relied on in cases (I think) in courts and so should not be
repealed as it would cause confusion in all kinds of places. Keep it, it is too important to lose.

‘Without the Human Rights Act we wouldn’t be able to protect our own rights in our own country’

‘Extremely important as without the Act we would be exploited’

‘It is very important because it creates a sense of safety’.

2. Should we be exchanging the Human Rights Act for a new Bill of Rights?

On this question, there were several views:

‘We should leave the Human Rights Act in place, but include additional rights’

‘Exchange, why? So we lose our rights? And the generation before and now would have been in vain?’

‘Yes it would be more efficient and easier to follow’

‘No.’

3. If we did have a new Bill of Rights what else should be included?

Participants put forward the following:

- Health care
- The right to vote
- The right to work
- The right to freedom of information
- The right to hold a government to account over its actions outside of elections

Lastly, we asked whether there was anything else the participants would like to say about their rights.

The one response of the group was simply:

The Commission should be more representative, including the younger generation, more women, people from less well-off backgrounds and ethnic diversity.
It was agreed that a summary of these responses would be reflected in the response the Wales Observatory will make to the Commission’s Second Consultation (closing date 30 September 2012).

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