



Children’s Rights Impact Assessment (CRIA) Template

Title / Piece of work:	<p>Legislation (Wales) Bill</p> <p>A Bill to promote the accessibility of Welsh law and to make bespoke provision for the interpretation of Welsh legislation</p> <p>[Note, this builds upon a CRIA completed in May 2017 on “Policy consultation – <i>Interpreting Welsh Legislation: Considering an Interpretation Act for Wales</i>]</p>
Related SF / LF number (if applicable)	Not applicable
Name of Official:	Claire Fife
Department:	Office of the First Minister
Date:	March 2018
Signature:	

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

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

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

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

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

Six Steps to Due Regard



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

The Welsh Government is consulting on a Draft Bill that is part of the Counsel General's wider programme of improving accessibility of the law applicable in Wales. This programme intends to:

- develop a rationalised bilingual body of Welsh law primarily by **consolidating** existing primary and secondary legislation;
- once consolidated, **codify** the law so that all of the law on a particular subject is organised and available together in one or more 'principal' Acts, together with accompanying secondary legislation and guidance; and
- improve how the law is **communicated** by ensuring that it is published in up-to-date form and accompanied by explanatory material and commentary.

The desired outcomes of the Draft Bill are to:

- facilitate making the law applicable in Wales identifiable and accessible; and
- provide bespoke (fit for purpose), modern and bilingual legislation on the interpretation of the law applicable in Wales.

In order to establish whether the desired outcomes are a success, they will be assessed against the following criteria –

- the benefit must outweigh the cost of change;
- the changes must support the creation of a clear and bilingual statute book for Wales; and
- the changes must reduce complexity.

Step 2. Analysing the impact

There are no immediate positive or negative impacts applicable to children, young people or their families, from investigating whether the Welsh Government should create a statutory duty to improve accessibility of Welsh law, or make provision for an Interpretation Act for Wales.

The Welsh Government asked the Law Commission to consider the problems arising from the inaccessibility of the law. In their subsequent report (*Form and Accessibility of the Law Applicable in Wales*, June 2016) the Law Commission identified a number of ways in which accessibility of the law could be improved and the general benefits that would flow from this. The Law Commission did not report on any specific benefits or impacts for children of improved accessibility, although their Report did discuss the problems the complexity of the statute book causes including in relation to legislation affecting children (for example, education law and social care law relating to children). The Welsh Government has accepted, or accepted in principle, all but two of the Law Commission's recommendations. These are now being taken forward as part of the Counsel General's wider programme and the Draft Bill is one aspect of the programme.

During the summer of 2017 the Welsh Government ran a public consultation for twelve weeks on the policy which now forms Part 2 of the Draft Bill - *Interpreting Welsh legislation: Considering an interpretation Act for Wales*¹. The majority of stakeholders supported the general principles of developing bespoke provision for interpreting Welsh legislation. The responses to the consultation have informed the development of the policy for Part 2 of the Bill.

During the consultation on the Draft Bill it is intended there will be further engagement with stakeholders.

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

Having reviewed the UNCRC articles, the benefits and impacts of an Legislation (Wales) Bill do not in our view directly support or promote children's rights. Neither do we think there would be an adverse affect to children's rights.

However activities pursued under the programme of improving accessibility of Welsh law to be put on a statutory footing by the Bill will have a positive impact for children, young people and their families.

We also believe there will be considerable benefit in relation to the use of the Welsh language – see the Welsh Language Impact Assessment for the Bill (available on the consultation page). This would also benefit those children, young people and their families who have been educated through the medium of Welsh and may be more comfortable reading in Welsh.

Step 4. Advising the Minister and Ministerial decision

No conflict with the UNCRC articles has been identified.

¹ The consultation document and the report on the summary of responses to that consultation can be found at: <https://consultations.gov.wales/consultations/interpreting-welsh-law-interpretation-act-wales>

Step 5. Recording and communicating the outcome

Final version to be retained on i-share

A copy of this CRIA will be retained as part of the documentation associated with this policy consultation. This CRIA will also be published alongside the policy consultation, so that it may be considered by stakeholders as part of that consultation.

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

This CRIA will be revisited as part of the analysis of consultation responses to the Draft Bill.

Budgets

<p>Does the piece of work have any associated allocation of budget?</p> <p>Can you identify how much of this budget will be used for children and young people? It is important that where any changes are made to spending plans, including where additional allocations or savings have been made, that this has been assessed and evidenced as part of the CRIA process.</p> <p>Has any additional spend been identified to ensure children and young people have been given an opportunity to contribute to the piece of work and have their opinions heard? If so, how much?</p>	<p>The Bill has been prepared from existing administrative budgets</p> <p>Not currently applicable</p> <p>Not currently applicable</p>
<p>Please give any details:</p> <p>Not currently applicable</p>	

Monitoring & Review

<p>Do we need to monitor / review the proposal?</p>	<p>Yes, as part of consultation analysis</p>
<p>If applicable: set the review date</p>	<p>Summer 2018</p>

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