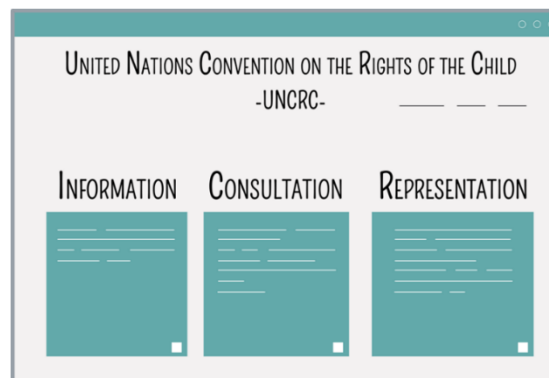


‘The Rights Idea?’

Young people’s rights under the United Nations Convention on the Rights of the Child

Teacher Guidance



University of Exeter
National Youth Advocacy Service, Cymru (NYAS, Cymru)
National Association of Child Contact Centres (NACCC)



Ariennir yn Rhannol gan
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Introduction

This guidance has been written to accompany a two-part teaching resource for learners working at the level of Progression Steps 4 and 5 focusing on young people's rights under the United Nations Convention on the Rights of the Child ('The UNCRC'). In Resource 1, learners will learn about the key rights that children and young people have under the UNCRC. This includes the right to express their opinion when important decisions are being made about their lives and for adults to take that opinion seriously (Article 12). In Resource 2, Article 12 will be considered further with respect to young people's rights to information, consultation and (when needed) representation when their parents separate.

The teaching resources are designed to be taught within Relationships and Sexuality Education (RSE) which is mandatory in the [Curriculum for Wales](#)¹. The resources also support teaching on young people's rights, helping them to become informed citizens of Wales and promoting better mental health and well-being for learners following parental separation. The teaching falls primarily under 'statements of what matters' in the [Humanities](#) and [Health and Well-being Areas of Learning and Experience](#), however, they may be other statements of what matters which may be relevant.

The teaching resources have been written by researchers in the Law School at the University of Exeter, working in collaboration with two organisations with expertise in meeting the needs of young people following parental separation: the National Youth Advocacy Service (NYAS) and the National Association of Child Contact Centres (NACCC).

Please read and consider this guidance first before teaching the resource.

Preparing to teach

These teaching resources should be taught as part of wider learning on young people's rights and healthy relationships, in the context of parental separation, within a programme covering RSE and Citizenship, as well as Health and Well-being. It is important that young people can identify the rights that they have under the UNCRC, particularly their right to make their views known and have those views taken seriously when decisions are being made about their lives, including when parents separate. Young people also need to learn ways to manage grief about changing relationships, including the impact of separation and divorce, the sources of support available to them when parents separate, and how to access them. There are PowerPoint plans with the notes below for each resource reproduced in the notes section under the slides for ease of teaching.

Children's rights under the UNCRC

The UNCRC is the global "gold standard" for children's rights and sets out the fundamental rights of all children. It is the most widely and rapidly ratified human rights treaty in history. It sets out the civil, political, economic and cultural rights of

¹ As updated on 10 January 2022 pursuant to the Curriculum Wales Act 2021

every child. Governments agree to safeguard the rights and ensure that adults and children know about them. It was signed in 1989 and ‘ratified’ by the UK, thereby indicating the UK’s consent to be bound by the terms of the convention, in 1991. It has been signed by 196 countries of which all but the USA have ratified it.² It has four guiding principles (non-discrimination; the best interests of the child; the right to life, survival and development; and the right of children to express their views freely and to be heard) which apply to all under 18s.

In the UK, Wales took the lead on incorporation of the UNCRC into legislation when it passed the [Rights of Children and Young Persons \(Wales\) Measure 2011](#) (“The Measure”). From May 2014, the Measure places a duty on Ministers to have due regard to the UNCRC when developing or reviewing legislation and policy. This means that Ministers must give the appropriate weight to the requirements of the UNCRC, balancing them against all the other factors that are relevant to the decision in question.

The Measure also makes Ministers responsible for ensuring that people in Wales know about, understand and respect the rights of children and young people, as outlined in Article 42 of the UNCRC.³

Human rights is a cross-cutting theme within the Curriculum for Wales.⁴ Schools must promote knowledge and understanding of the UNCRC (and the United Nations Convention on the Rights of Persons with Disabilities) among those who provide learning and teaching in respect of their school’s curriculum.⁵

Setting this two-part teaching resource within a framework of the UNCRC will help learners to learn about their rights and responsibilities as citizens and also ensure that the sensitive topic of young people’s rights when parents separate is taught in a way that is universal and non-stigmatising. Young people’s right to information, consultation and (where needed) representation within the decision-making processes for their futures when parents separate is enshrined in Article 12 of the UNCRC, yet young people are seldom consulted. Research shows that young people want access to good quality information and support and a voice in the decision-making when parents separate. Failure to provide information to young people at this sensitive time has been found to compound their sense of confusion and uncertainty. The teaching resources address this by setting out what rights young people have when parents separate.

² Under the US constitution, Article II, Clause 2, Section 2, once a convention is signed the President sends it to the Senate who must approve it with a two thirds majority. Despite the UNCRC having been signed under the Clinton administration, President Clinton and his successors have failed to send the convention to the Senate to ratify these rights into the US laws.

³ Rights of Children and Young Persons (Wales) Measure 2011, s.5

⁴ Along with RSE, diversity, careers and work-related experiences and local, national and international contexts.

⁵ Curriculum and Assessment (Wales) Act 2021, s 64(1).

Managing the impact of separation and divorce

The parents of 287,000 young people in the UK separated in 2020. Research by the University of Exeter has shown that there is a strong appetite amongst young people to have high-quality information from a trusted source and for them to understand and be consulted about what arrangements are to be put in place for them when their parents separate.⁶ Research indicates that young people cope better when they are consulted on the arrangements and that the arrangements made are longer-lasting. However, whether parents agree matters in court proceedings or without going to court, young people are seldom consulted.⁷ The outcomes of these resources will help learners understand and hopefully normalise the range of emotions that young people may feel if their parents separate. This should help young people who are coming to terms with separation or help them to support others going through this process. The teaching resources aim to demystify the legal processes surrounding separation. They explain the move to 'no-fault' divorce, which the Divorce, Dissolution and Separation Act 2020 will introduce from April 2022. They will also equip young people with details of sources of support and how to access them when parents separate which will support learners to adjust to post-separation family life. This links to the 'statements of what matters' for [Health and Well-being](#) which highlight that how we process and respond to our experiences affects our mental health and well-being and that learning should enable learners to recognise when and where to seek help and support to promote their mental health and well-being.

Links to the Curriculum for Wales

The teaching resources have been designed to meet the requirements of the [Curriculum for Wales](#). They help to meet two of the [four purposes](#)⁸ assisting learners to become:

ethical, informed citizens who:

engage with contemporary issues based upon their knowledge and values who understand and exercise their human and democratic responsibilities and rights and **are ready to be citizens of Wales and the world.**

healthy, confident individuals who:

are building their mental and emotional well-being by developing confidence, resilience and empathy

⁶ Barlow A, Ewing J, Hunter R and Smithson, J. (2017) *Creating Paths to Family Justice: Briefing paper and report on key findings*. University of Exeter.

⁷ For in court see 'The Harm Report' at p. 66 (https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/895173/assessing-risk-harm-children-parents-pl-childrens-cases-report_.pdf) and for out-of-court see 'The Report of the Family Solutions Group at p. 22 (https://www.judiciary.uk/wp-content/uploads/2020/11/FamilySolutionsGroupReport_WhatAboutMe_12November2020-2.pdf-final-2.pdf).

⁸ Curriculum and Assessment (Wales) Act 2021, s 2(1).

know how to find the information and support to keep safe and well and **are ready to lead fulfilling lives as valued members of society.**

The table below shows a guide, but not an exhaustive list, of how the teaching resources fit teaching on rights in the [Curriculum for Wales Guidance](#) and the [Guidance on RSE](#). RSE is a cross-cutting element, drawing on different areas of learning and subject disciplines as well as being part of Health and Well-being. Building on the requirement of the [RSE Code](#) that RSE teaching in Wales is positive, protective and preventative, the teaching resources help learners to manage changing relationships if parents separate, and learn about sources of support and how to access them. The teaching resources are devised to be used in Phase 3 of the RSE code, building on learning from Phases 1 and 2 to consolidate and strengthen knowledge and skills.

Curriculum for Wales Guidance	Guidance on RSE
<p>Curriculum development is:</p> <ul style="list-style-type: none"> an important vehicle for embedding the United Nations Convention on the Rights of the Child (UNCRC) in the experience of learning and teaching for our children and young people and for giving them an understanding of their rights. 	<p>RSE should enable human rights</p> <ul style="list-style-type: none"> Schools and settings should discuss RSE in the context of children’s rights as protected by the UNCRC. <p>Learning in RSE should highlight:</p> <ul style="list-style-type: none"> the right to be heard and involved in decision-making (Article 12). <p>Building on the RSE Code, the approach to RSE should be positive, protective and preventative, considering how learners might need to be supported to:</p> <ul style="list-style-type: none"> understand and cope with change, conflicts and pressure [here, if parents separate] and seek help and advice where appropriate.

Links to the ‘statements of what matters’ in Humanities and Health and Well-being

The table below shows how the teaching resources fit some of the ‘statements of what matters’ in [Humanities](#) and [Health and Well-being](#) respectively. The statements of what matters that we have outlined in this guidance are some examples of what we can use for these resources. There may be more ‘statements of what matters’ which these resources fall under.

Humanities	Health and Well-being
<p>Informed, self-aware citizens engage with the challenges and opportunities that face humanity and are able to take considered and ethical action.</p> <p>In Resource 1, considering how some young activists are ‘getting their voices heard’ and in Resources 1 and 2, learning some key rights under the UNCRC will help learners to:</p> <ul style="list-style-type: none"> ■ develop an understanding of their responsibilities as citizens of Wales and the wider interconnected world; ■ be active, informed, and responsible citizens; ■ develop an awareness of their own rights (including those protected in the UNCRC...), as well as their needs, concerns and feelings, and those of others; ■ take committed social action as caring, participative citizens of their local, national and global communities, showing an understanding of and commitment to justice, diversity and the protection of the environment; ■ explore concepts, including citizenship, authority and governance, inter- 	<p>How we process and respond to our experiences affects our mental health and emotional well-being.</p> <p>In Resource 2, discussing and normalising the range of emotions that young people may go through when parents separate will help learners to:</p> <ul style="list-style-type: none"> ■ explore the connections between their experiences, mental health and emotional well-being...[and] recognise that feelings and emotions are neither fixed nor consistent; ■ [develop] empathy... [enabling them]... to act in a way which supports the mental health and emotional well-being of others; ■ develop strategies which help them to regulate their emotions; ■ recognise when and where to seek help and support; ■ develop awareness of mental health issues and [be] able to advocate on behalf of others; ■ [learn] how to communicate their feelings [so] learners will be better placed to create a culture where talking about mental health and emotional well-being is normalised.

connectedness, justice and equality, enterprise, rights, and social action and responsibility.

Healthy relationships are fundamental to our well-being

In Resource 2, discussing parental separation, which many young people will experience, the teaching will help learners to:

- understand and value how feelings of belonging and connection that come from healthy relationships have a powerful effect on health well-being;
- recognise when relationships are unhealthy and... be aware of how to keep safe, and seek support for themselves and others;
- understand that, throughout their lives, they will experience a range of relationships;
- develop their abilities to... nurture and maintain relationships.

Links to the 'progression steps' in Health and Well-being and Humanities

Examples of progression includes learners must revisit and deepen learning in concepts within the statements of what matters across a wide range of topics and aspects of Humanities and Health and Well-Being respectively. In Humanities they will have begun to develop an awareness of their rights including those under the UNCRC. In Health and Well-being at Progression Step 3, learners will have learned about the benefits of communicating about feelings and seeking help. The tables below show examples of some approaches in the teaching resources that can be taken to help learning under Progression Steps 4 and 5 for both [Humanities](#) and [Health and Well-being](#).

Humanities

Progression Step 4	Progression Step 5
<p>Informed, self-aware citizens engage with the challenges and opportunities that face humanity, and are able to take considered and ethical action.</p> <p>In Resource 1, considering how some young activists are ‘getting their voices heard’ and in Resources 1 and 2, learning some key rights under the UNCRC will help learners to reach the following in Progression Step 4.</p> <ul style="list-style-type: none"> ■ I can explain the importance of the roles played by individuals, societies, social movements and governments in defending people’s human rights. ■ I can make decisions, identify opportunities and plan appropriate action to make my voice heard. ■ I have identified, planned, reflected upon and evaluated the effects of action I have taken in my local community, or in Wales or the wider world, either individually or collaboratively. 	<p>Informed, self-aware citizens engage with the challenges and opportunities that face humanity, and are able to take considered and ethical action</p> <p>In Resource 1, considering how some young activists are ‘getting their voices heard’ and in Resources 1 and 2, learning some key rights under the UNCRC will help learners to reach the following in Progression Step 5.</p> <ul style="list-style-type: none"> ■ I can evaluate the causes of human rights violations and the various factors that undermine or support people’s rights. ■ I can evaluate the importance of the roles played by individuals, societies, social movements and governments in respecting and defending people’s human rights.

Health and Well-being

Progression Step 4	Progression Step 5
<p>How we process and respond to our experiences affects our mental health and emotional well-being</p> <p>In Resource 2, discussing parental separation, normalising the range of</p>	<p>How we process and respond to our experiences affects our mental health and emotional well-being</p> <p>In Resource 2, discussing parental separation, normalising the range of</p>

emotions that young people may go through when parents separate and discussing sources of support will help learners to reach the following in Progression Step 4.

- I can identify different strategies to self-regulate my emotions in response to a range of experiences.
- I can advocate the benefits of communicating about feelings as one of a range of strategies which can help promote positive mental health and emotional well-being.
- I can identify people and groups who can help me with my mental health and emotional well-being.
- I can reflect and learn from the past in order to anticipate and prepare myself and others for future experiences.
- I can empathise with others and understand the value of demonstrating this through actions which are compassionate and kind.

Healthy relationships are fundamental to our well-being

In Resource 2, discussing parental separation, which many young people will experience, the teaching will help learners to reach the following in Progression step 4:

- I can show a developing awareness of the complex nature of relationships.
- I can communicate my needs and feelings, and respect those of others.

emotions that young people may go through when parents separate and discussing sources of support will help learners to reach the following in Progression Step 5.

- I can use my self-awareness to appreciate the complexity of my emotions and apply strategies to self-regulate them in a healthy way and to connect with others.
- I can contribute towards a culture where talking about mental health and emotional well-being is encouraged and normalised.
- I can identify when to seek help based on a good understanding of my mental health and emotional well-being.
- I can respond to current experiences, as well as reflect, and learn from the past, in order to anticipate and prepare myself and others for future experiences.
- I can empathise with others which helps me to be compassionate and kind towards myself and others.

Healthy relationships are fundamental to our well-being

In Resource 2, discussing parental separation, which many young people will experience, the teaching will help learners to reach the following in Progression Step 5:

- I can show an understanding of the complex nature of relationships in a range of contexts and an understanding of how they are influenced by a range of factors.
- I can take steps to avoid conflict and to remove myself from unsafe relationships. I can draw


- | | |
|---|--|
| <ul style="list-style-type: none"> ▪ I can exercise my own rights and respect those of others, and I can recognise that rights can be infringed. | <ul style="list-style-type: none"> ▪ on support systems for myself and others when needed. ▪ I can advocate the rights of myself and others. |
|---|--|

Learners with additional needs

Evidence suggests parents of children with additional learning needs report higher levels of relationship distress and greater frequency of considering divorce or separation.⁹ The topics covered in these teaching resources may therefore be of particular relevance to learners with additional needs.

The relevant Act requires the learning encompassing RSE provided by schools must be developmentally appropriate for learners.¹⁰ This means schools and settings must take account of a range of factors including the learner's age; knowledge and maturity; any additional learning needs and anticipating their psychological and emotional development. RSE must be developmentally appropriate for each learner, meaning that the needs of learners of similar ages may differ.¹¹ All staff, not just teachers, should be aware of the school's approach to RSE when working with learners with additional learning needs.

Schools providing education for learners with moderate and severe, profound and multiple learning needs should consider in their design of the curriculum how best to meet the needs of all learners whose understanding of sexual health and well-being issues may not match their development. Schools with learners with moderate and severe learning needs may need to adapt the teaching resources to meet the different needs of their learners.

Teachers should plan how they can differentiate teaching to include and support learners with mild additional learning needs or who have English as an additional language. Resource 1, slides 21, 30 and 33 and Resource 2, slides 18 and 21, have support activities for these learners, marked with a .

Safeguarding

Managing the grief associated with parental separation is an emotive subject. This two-part teaching resource has been situated within a discussion of children's rights more generally under the UNCRC, to ensure that the teaching is universal and non-

⁹ Relate (2017) Under pressure: The relationships of UK parents who have a child with a learning disability available at: https://www.relate.org.uk/sites/default/files/the_way_we_are_now_-_under_pressure_report_0.pdf

¹⁰ Curriculum and Assessment (Wales) Act 2021, s 24(2) (maintained schools) and 50(4) (PRUs)

¹¹ Where arrangements have been made for a learner under section 19A of the Education Act 1996 (non-PRU) a curriculum secured for that learner must be suitable for that child's stage of development (s 53(4) of the 2021 Act).

stigmatising. Nevertheless, since there were approximately 82,000 dependent children living in lone parent households in Wales in 2020,¹² there is likely to be a number of children in the class whose parents have separated, or whose close friends or family are going through separation. Others will be living in households with high levels of conflict between parents.

The following safeguards should be put in place.

- Inform pastoral and safeguarding staff of the dates you will be teaching this topic and encourage them to discuss the teaching resource content with any learners who are accessing support following parental separation or difficulties within the home. It can be helpful to inform relevant parents too in case learners come home with questions or wish to discuss these issues further.
- Give the learner(s) a chance to withdraw from the learning session if appropriate (without being expected to justify their absence to their peers). Consider how to follow up the missed learning session with the learner(s), as this learning may be especially relevant to them.
- Signpost sources of support before, during and after the learning session.
- Ensure that all teachers delivering the materials are familiar with school safeguarding/child protection policies and safeguarding protocols.
- Should a learner make a disclosure about a personal matter during the learning session, following the teaching, teachers should refer to the safeguarding/child protection policy and inform the Designated Safeguarding Person, so that appropriate support can be put in place.

Creating a safe learning environment

A safe learning environment helps learners to express opinions and consider others' views safely and should be established in all learnings. Given the nature of the topics discussed in Resource 2, it is especially important that the learning environment for the learners is safe. Teachers must be sensitive to the needs and experiences of the learners. Distancing techniques are employed in the learning session - learners watch a video in Resource 2 which follows two fictitious families over a 12 month period, narrated by Tom, the fourteen-year-old son from one of the families, to explore young people's rights when their parents separate. The narrative normalises how young people may feel at this difficult time of transition. Learners should be encouraged to discuss how the young people portrayed in the video are feeling, to

¹² See:

<https://www.ons.gov.uk/peoplepopulationandcommunity/birthsdeathsandmarriages/families/datasets/householdsbytypeofhouseholdandfamilyregionsofenglandandukconstituentcountries> (Table 7, Wales).

In the five years to 2019, Wales experienced the largest change in the proportion of lone parent families compared with the other regions in the UK (see:

<https://www.ons.gov.uk/peoplepopulationandcommunity/birthsdeathsandmarriages/families/bulletins/familiesandhouseholds/2019>).

discourage personal disclosures. Teachers should refer to the [Guidance on RSE](#) and the [RSE Code](#) before teaching.

If a class has established 'class ground rules' then these can be used, and learners can also be asked to add to the ground rules as appropriate. Otherwise the following ground rules are suggested:

We will:

- not disclose personal information about ourselves or others
- keep anything that others say confidential
- not judge others
- not put anyone on the spot and we have the right to pass
- talk about 'someone I know...' rather than using a person's name
- comment on what is said, not who has said it
- not ask personal questions or try to embarrass someone
- seek help in school/encourage friends to seek help if needed.

Teachers should also:

- have an 'ask-it-basket'/question box for learners to ask questions confidentially
- review and address any questions submitted in the anonymous 'ask-it-basket'/question box
- work within the school's policies on safeguarding and confidentiality
- link RSE into the whole-school approach to support learner well-being
- make learners aware of sources of support, both inside and outside the school
- explain to learners that while confidentiality is important, if something is said or a behaviour causes concern, teachers may speak to another member of staff.

Teachers should be alert for any potential disclosure of domestic violence, particularly when teaching Resource 2 and should familiarise themselves with the [Violence against women - domestic abuse and sexual-violence educational toolkit](#) and the accompanying guidance for secondary schools: [Secondary schools' educational resources](#).

Developing understanding

Glossary of terms

Many of the terms used within the teaching resources may not be familiar to learners unless their parents have separated. To ensure that accurate terms are used during the learning sessions a glossary of terms used is set out below.

Resource 1

Term	Description
The United Nations	An international organisation founded in 1945 to keep the peace, help the poor and protect rights.
Convention	A formal agreement between countries on matters that concern them all.
The United Nations Convention on the Rights of the Child	The global 'gold standard' for children's rights which sets out the fundamental rights of all children.
Article	A numbered section of a convention containing the details of what has been agreed.
Ratified	An international act confirming a State's consent to be bound by the terms of the convention.
Incorporation	An act that makes the terms of a convention part of the law of the State.

Resource 2

Term	Description
Mediation	A voluntary process in which an independent professional helps separated parents to reach an agreement without going to court.
Child-inclusive mediation	A process in which the child meets with the mediator separately so that their voices can be heard.
Family Court	This is where the judge makes important decisions about children and their families if parents or guardians cannot agree.
Children and Family Court Advisory Support Service, Cymru (Cafcass Cymru)	The organisation which represents children in court and independently advises the court what is in the child's best interest.

Family Court Advisor (FCA)	The person from Cafcass who meets the children to hear their wishes and feelings and reports back to the court.
Solicitor	A legally trained person who provides advice to people going through the family courts and can speak for them in court.
Judge	The person who works in the court who listens to everyone and makes a final decision.
A Contact Centre	A safe place where children and young people can see a parent with whom they do not live.
Marriage	A legal union between a mixed-sex or same-sex couple.
Civil Partnership	A relationship which can be registered between a mixed-sex or same-sex couple.
Cohabitation	Living together as partners without being married or in a civil partnership.
Adultery	Sexual intercourse with a person of the opposite sex when you are married to somebody else.
Applicant	A person who makes an application to court.
Respondent	A person responding to an application made to court

Signposting to support

Support for teachers

For further guidance on the UNCRC visit:

<https://www.unicef.org/media/62371/file/Convention-rights-child-at-crossroads-2019.pdf>

For further guidance on a children's rights approach in Wales visit:

<https://www.childcomwales.org.uk/wp-content/uploads/2017/04/The-Right-Way.pdf>

For further guidance on marriage, civil partnerships and cohabitation visit:

www.gov.uk/browse/births-deaths-marriages/marriage-divorce

Support for learners

For further guidance on the UNCRC visit:

https://www.childrenscommissioner.gov.uk/wp-content/uploads/2017/08/GUIDE_Young_peoples_Guide_to_the UNCRC.pdf

For further guidance on the sources of support on parental separation visit:

National Youth Advocacy Service, Cymru (NYAS Cymru):

<https://www.nyas.net/nyas-cymru/> (Tel: 0808 8081001)

National Association of Child Contact Centres: <https://nacc.org.uk> (Tel: 01159 484557)

Cafcass Cymru: <https://gov.wales/cafcass-cymru/family-separation> (Tel: 0300 456 4000)

Childline Cymru: <https://www.childline.org.uk/info-advice/home-families/family-relationships/divorce-separation/> or for Welsh language version:

<https://www.childline.org.uk/get-support/contacting-childline/contacting-childline-in-welsh/> (Tel: 0800 1111)

Relate Cymru: <https://www.relate.org.uk/cymru/children-and-young-peoples-counselling> (Tel: 03000030396)



‘The Rights Idea?’
Young people’s rights under the United Nations Convention on the Rights of the Child
Resource 1



Resource 1: Young people's rights under the UNCRC

This is the first of two teaching resources for learners working at Progression Steps 4 and 5 focusing on young people's rights under the United Nations Convention on the Rights of the Child, particularly their Article 12 right to be heard when important decisions are being made about their lives including when parents separate. Below is an overview of the learning objectives and learning outcomes for this learning, together with the resources needed and suggested timing.

Learning objectives

- To learn about the key rights that children and young people have under the United Nations Convention on the Rights of the Child ('The UNCRC') and how these rights are protected in Wales.
- To learn about different ways that young people are acting to solve problems and contribute to society.

Learning outcomes

Learners will be able to:

- explain the 4 guiding principles of the UNCRC
- explain some of the key Articles of the UNCRC and the legislation in Wales protecting these rights
- analyse how young activists are able to 'get their voices heard'.

Resources

- Sticky notes
- An 'ask-it-basket'/ question box for learners to ask questions confidentially

Suggested Timing

The learning is designed to be taught over 55 minutes.

Climate for learning

Read the accompanying teacher guidance before teaching for advice on establishing ground rules, the limits of confidentiality and sources of support.

Support and extension

To differentiate teaching some activities have support and extension activities marked with icons below and on the slides.

Keywords

Children's rights
Children's voices

Learning and suggested timing

Activity	Description	Suggested timing
Introduction and baseline assessment	Learning objectives and outcomes; learners will then suggest key words associated with 'rights'.	5 mins
Introduction to the United Nations	Learners will be asked about what they know about the United Nations and a convention.	3 mins
True or false?	True or false quiz on rights.	5 mins
Introduction to the UNCRC and ranking rights	Learners will have an introduction to the UNCRC and how it is implemented in Wales. Learners will then be shown 12 rights and, on their tables, will rank them.	15 mins
Key rights	Learners will learn about some of the key rights under the UNCRC and the extent to which these rights are being upheld globally.	10 mins
Getting your voice heard	Learners will consider Article 12 and four young people who are making their voices heard.	10 mins
Endpoint assessment	Learners will revisit and revise the baseline answers as appropriate.	5 mins
Homework or extension task	Wrap up (including sources of support) and setting homework (or extension) task.	2 mins

Baseline assessment



5 Introduction and baseline activity (What are rights?) – slides 13-16

Negotiate or revisit ground rules for the learning. Introduce the learning objective and outcomes and explain that today's learning will explore young people's rights under the United Nations Convention on the Rights of the Child.

To begin, **ask** the whole class:

- What are rights? (Rights are standards that recognise and protect the dignity of all human beings.)
- What key words might be associated with 'rights'? (Fairness, equality, respect, benefits, support, entitlements).
- Why do rights need to be protected? (To ensure that human dignity and equality is given to all.)

Either ask learners to get up and move around the room, adding to graffiti walls which have these questions as headings. Or, if you would prefer, you could hand out sticky notes for learners to complete in response to these questions, that they then stick on each 'wall'.

Alternatively, hand out sticky notes and ask the learners to write down a word they would associate with rights then stick them on the whiteboard grouping them around words that emphasise 'fairness' and words that emphasise 'entitlement'.

Do not give any further hints or tips, even if learners ask questions. They should not share their ideas with classmates during the activity. This will give you the opportunity to see what learners' own beliefs and ideas are on 'rights' before the learning begins.



3 Introduction to the United Nations – slide 17

Ask learners: Has anyone heard of the United Nations? What do you think it might do? Is it an organisation relevant for children to know about? If so why?

The UN was formed in 1945, after World War 2 to try to prevent further wars. It has 193 member states. The UK is one of the five permanent members of the UN Security Council (as well as the USA, France, China, and Russia).

The UN's aims [which apply equally to young people and adults] are:

- to keep peace throughout the world
- to develop friendly relations between countries
- to work together to help improve the lives of the poor
- to remove poverty, disease and illiteracy in the world
- to stop environmental destruction
- to encourage respect for each other's rights and freedoms.

Also **ask** learners, what is a convention? What does it do? Do you think a convention might be helpful to children?

A convention is a formal agreement between countries on matters that concern them all. The UN established a series of conventions to promote human rights internationally and to enable it to perform its functions. Explain that in this learning session learners will be looking at one particular Convention, the United Nations Convention on the Rights of the Child 1989 (UNCRC).



5 True or false? – slide 18

To set up a discussion on the UNCRC and gauge learners' level of awareness of the UNCRC, **ask** the class to feedback as a whole on the eight statements on the slide – which are rights under the UNCRC? To ensure that all learners actively engage with the learning, instruct all learners to put their hands up or down/ thumbs up or down, depending on what they think the answer is for each question.

In slideshow mode, each statement in the left hand box is followed by a statement in the right hand box indicating whether this is a right under the UNCRC. Learners should be asked to decide whether the statement is true and the answer given before moving on to the next statement.

Core activities



15 Ranking rights – slides 19-21

Use slide 19 to outline to learners the key dates for the UNCRC and the four guiding principles:

- non-discrimination;
- the best interests of the child;
- the right to life, survival and development; and
- the right of children to express their views freely and to be heard.

Then run through how the UNCRC is applied in Wales (slide 20).

Further subject knowledge is outlined on slides 7-9.

Then take 10 minutes to ask learners on their tables to read the rights under the UNCRC on slide 21, rank the rights in what they think are the order of importance and feedback their top (and, if time) bottom 3.



Support activity consider asking learners to select what they think is the 'top' right or 'top 3' rights only.



Extension activity consider asking the learners to consider what some of the challenges might be in ensuring that every child has these rights (e.g. not all children in the world live in areas that are free of conflict).



10 Key rights – slides 22-26

The learners will be given an overview of some of the key articles of the UNCRC and the extent to which these have been upheld, in Wales and globally. Depending on time available and the level of learner engagement, there is some key information in the notes section on each slide, with the most important parts highlighted for ease of teaching. Slides 22-26 consider the first three of the four guiding principles in further detail. Key points to stress are:

Article 2: Protection against discrimination: Despite this, globally girls are far more likely to marry early, miss out on education and do unpaid work than boys.

Explain to learners that in the UK, the Equality Act 2010 also provides protection against discrimination for children and young people on a number of grounds. Ask learners what rights of young people they think are protected under the Equality Act 2010. Answer: race, gender, disability, sexual orientation and religion or belief. Point out that 'religion and belief' is also protected by the 'British Values' of mutual respect and tolerance of those with different faiths and beliefs.

This slide includes information on Welsh specific data including the ethnicity of the 6th Senedd (5% ethnic minorities compared to 5.6% in the rest of Wales) and the gender pay gap in Wales (down from 18.6% in 2004 to 9.2% in 2021).

Article 3: The child's best interest: This an overarching principle of the UNCRC – whenever adults, be that parents, teachers or the government make decisions, then those decisions must be guided by what is in the best interests of the child.

Article 6: The right to life, survival and development: Global child deaths have more than halved since the Convention was signed. However, in 2018, an average of 15,000 children under 5 died every day.

Article 24: The right to the best health care possible, safe water to drink, nutritious food, a clean and safe environment, and information to help you stay well: Despite advances, more than 800 children still die every day from diseases linked to inadequate water supply and poor sanitation and hygiene.

Article 28: The right to education: The percentage of children of primary school age not in schools has more than halved since the UNCRC was signed. However, 59 million primary school-age children are not in school.

To end this section and to check learners' understanding, **ask** learners if the information they have just heard about different rights has changed their minds about their original rankings, and based on what they have just heard, what they think the most important right is today that needs addressing globally.



10 Getting your voice heard – slides 27-30

The right of children to express their views freely and to be heard is the fourth guiding principle of the UNCRC and is contained in Article 12.

The 'statements of what matters' for Health and Well-being state that learners must be able to 'recognise when and where to seek help and support'. In Resource 2 of The Rights Idea? learners will explore the sources of support available to them when their parents separate and how to access this support. This will be discussed as part of young people's Article 12 right to give their opinion and for adults to listen and take it seriously. To set this up, learners will therefore be considering different young activists who have been making their voices heard on the world stage and in Wales.

On slideshow mode show the class each of the 3 activists on slide 28. **Ask** learners who they are and what they know about each individual.

Greta Thunberg (born 03.01.03) in Sweden. She is a climate change activist. She spoke at the UN Climate Action Summit and was nominated for the Nobel peace prize in 2019. She has also been vocal about her Asperger's syndrome and OCD helping to normalise mental health problems.

Malala Yousafzai (born 12.07.97) She is an activist for female education. She survived an assassination attempt in 2012. In 2014, she became the youngest person ever to win a Nobel Peace Prize (aged 17).

Marcus Rashford (born October 1997) Manchester United and England Football player and anti-poverty campaigner. He set up the Child Food Poverty Task Force. He was awarded an MBE in 2020.

[For more details see teacher slides 10 and 11].

Next, ask learners to **think-pair-share**: What rights have they campaigned for and how have they effectively campaigned for these rights? [It may help to show the class Slide 21 (the ranking exercise) here to remind them of the various rights to help them answer this question and to reinforce learning].

Greta Thunberg - Article 6 (Right to life) and Article 24 (right to a clean and safe environment). She has effectively campaigned through school strikes, social media, and speaking at the UN.

Malala Yousafzai – Article 28 (right to education) and Article 2 (right not to be discriminated against, including on the grounds of gender). She has effectively campaigned through writing a blog and featuring in a documentary prior to the attempt on her life and by setting up the Malala Fund, co-authoring a best-seller. 'I am Malala' and addressing parliaments.

Marcus Rashford – Article 26 (the right to help from the government if you are poor or in need) and Article 3 (the best interests of the child shall be a primary consideration in all decision-making). He has campaigned effectively by lobbying the UK Government for change.

Slide 29 introduces learners to the Welsh activist, **Seth Burke**. On slideshow mode show the class the photo of Seth. Ask learners if they know who he is and, if so what they know about him. Since Seth is less of a household name than the other activists considered, information about his role in the Welsh Youth Parliament and his priorities for his term in office are given on the slide. Share the supporting information in the right-hand box.

Slide 30 gives Seth's priorities for his term in office are given on the slide. Share the supporting information in the right hand box.

Ask which Articles of the UNCRC cover the issues about which Seth will be campaigning?

Again, it might assist learners to show them the various rights on slide 21.

1. Protecting our environment and the natural world. (Article 24: Right to good healthcare and a clean and safe environment)
2. Improved accessibility to public spaces for people with disabilities. (Article 2: Right not to be discriminated against)
3. Tackling online bullying. (Article 19: Right to be protected from harm)
4. Addressing mental health in children and young people. (Article 24: Right to good healthcare)
5. Increasing access to free clubs that promote physical activity in children and young people. (Article 31: Right to relax and play)

Ask: What skills and attributes might these four, and other, young activists have in common?

(knowledge and understanding of their rights and the rights of others, persistence, resilience, self-belief, determination, confidence.)



Support activity consider asking the learners who these individuals are, if they know of any other young activists, or whether they can identify any issues young people have recently campaigned about.



Extension activity consider asking the learners to consider how these activists might continue 'getting their voices heard' for years to come. How could they ensure that they have a lasting impact on protecting these rights?

Assessment of learning



5 Endpoint assessment Activity – slide 31

Summarise the ideas written on the original graffiti walls/on sticky notes on the graffiti walls and ask the class if they now have anything to add. Independently, ask learners to write their own definition of what rights are and why they are important, based on their learning from this learning session.



2 Sources of support and homework or extension task – slides 32 and 33

To finish, run through slide 32 to remind learners who they can talk to in school, e.g. teacher or head of year, the pastoral support team or the Designated Safeguarding Person (you may wish to personalise this slide with names of contact staff) or outside of school, e.g. Childline Cymru and Relate Cymru. Some learners may have heard of Relate Cymru as a relationship counselling service but point out to them that Relate Cymru also offer counselling for young people.

For homework or as an extension task on slide 33, ask learners to write about an issue that they would like to campaign about and why. Ask them to note down what 'right' under the UNCRC their chosen issue addresses. As part of this task, ask them to research prominent activists who campaign for their chosen issue and consider what actions they could take themselves to campaign on this issue in the future.

At the end of the learning session explain to learners that in Resource 2 they will learn about:

- how young people can 'get their voices heard' when parents separate,
- the different sources of support available to young people when parents separate, and
- the topic of divorce more generally

Tell learners that, if they wish to, they can let the teacher know/put a note in the 'ask it basket' if that is an issue for them.



Support activity: Consider giving the learners the name of a young person who is 'getting their voice heard' (suggestions, together with the 'right' campaigned for, are given on slide 33).



Extension activity: Ask learners to consider how they might campaign for their chosen issue within their school community.



‘The Rights Idea?’
Young people’s rights when parents
separate -
UNCRC, Article 12
Resource 2



Ariennir yn Rhannol gan
Lywodraeth Cymru
Part Funded by
Welsh Government

Resource 2: Young people's rights when parents separate

This is the second of two teaching resources for focusing on young people's rights under the UNCRC, particularly their Article 12 right to be heard when important decisions are being made about their lives including when parents separate.

Learning objectives

- To learn about children and young people's rights to information, consultation and (if needed) representation if parents separate under Article 12 of the United Nations Convention on the Rights of the Child ('The UNCRC') (including sources of support and how to access them).
- To learn about the legal system in Wales and England relating to relationship breakdown.

Learning outcomes - Learners will be able to:

- explain young people's rights under Article 12, UNCRC when parents separate
- describe the range of emotions that young people may feel when parents separate
- identify ways in which young people can be consulted if parents separate
- identify sources of support for these young people and explain how to access them
- explain the changes to the law on divorce and key differences between rights of married and unmarried couples on relationship breakdown in Wales and England.

Resources

- Sticky notes
- An 'ask-it-basket'/ question box for learners to ask questions confidentially
- Handout for 'Quick fire quiz' if using

Suggested Timing

The learning is designed to be taught over 55 minutes.

Climate for learning

Read the accompanying teacher guidance before teaching for advice on establishing ground rules, the limits of confidentiality and sources of support.

Support and extension

To differentiate teaching some activities have support and extension activities marked with icons below and on the slides.

Keywords

Children's rights, children's voices, child-inclusive mediation, information, consultation, representation.

Learning and suggested timing

Activity	Description	Suggested timing
Introduction	Learning objectives and outcomes; feedback on homework task.	6 mins
Article 12 recap	Learners will complete the gap-fill exercise to recap on Article 12.	2 mins
Baseline activity	Learners will draw a mind map of how Tom may be feeling then will consider what questions he may have and his support needs.	6 mins
The 'grief cycle'	Learners will consider the 'grief cycle' and how Tom's friend Samir could support Tom through his parent's separation.	6 mins
The Rights Idea? video	Learners will watch The Rights Idea? video and note the 3 rights young people have when parents separate.	7 mins
Quick fire quiz	Learners will answer quick fire quiz questions based on The Rights Idea? video.	3 mins
True or false	True or false quiz to assess learners' knowledge.	2 mins
Myth busting	Learners will consider some common misunderstandings around legal rights.	5 mins
Changes to the law on divorce	Learners will consider the pros and cons of the 'fault based' law on divorce and consider the changes to divorce law to introduce a 'no-fault' system.	7 mins
Sources of support	Learners will learn about the support available to young people whose parents separate.	4 mins
Endpoint assessment	Learners will revisit and revise the baseline mind map as appropriate.	5 mins
Homework or extension task	Wrap up and setting homework/extension task.	2 mins

Baseline assessment



6 Introduction – slides 14-17

Negotiate or revisit ground rules for the learning session. Introduce the learning objective and outcomes and explain that today's learning will explore young people's rights under Article 12 of the United Nations Convention on the Rights of the Child (UNCRC) to have their voices heard when important decisions that affect their lives are being made, including when their parents separate.

For homework or as an extension task, you may have asked learners to write about an issue that they would like to campaign about and why. As part of this, they were to be asked to research prominent activists who campaign for their chosen issue and consider what actions they could take themselves to campaign on this issue in the future- see slide 17 for details of campaigners.

(As a reminder, as an **extension activity** you may have asked the learners to consider how they might campaign for their chosen issue within their school community. As a **support activity** you may have given the learners the name of a young person who is 'getting their voice heard').

Depending on the task set, **ask** one or two learners to feedback on the issue that they would like to campaign about/prominent activists who campaign for their chosen issue etc.

N.B. Teachers have some flexibility so that if you have chosen not to set the homework/extension task you will have some additional time to cover the key activities in greater detail.



2 Article 12 recap – slide 18

In Resource 2 of The Rights Idea? learners will explore the sources of support available to them when their parents separate and how to access this support. This will be discussed as part of young people's Article 12 right to give their opinion and for adults to listen and take it seriously. To set this up and to recap, ask learners to use the suggested words to fill in the gaps on Article 12 (see slide for words). In slideshow mode, the word fill appears without the suggested words, with the suggested words appearing on a click to give you the option of doing the exercise as the extension task.



Support activity: consider giving learners only the three words needed to fill the gaps.



Extension activity: consider asking learners to complete the gap-fill without any suggested words.



6 Baseline activity: Mind map of feelings – slide 19

Give learners a few minutes to read the scenario and then ask them (without conferring) to each to draw a circle with the word 'Tom' in the middle. [If learners are familiar with 'mind mapping' then you can explain that this is what they are going to do. If not, explain 'mind-mapping' to them i.e. they will be drawing a diagram with a central theme (here, the character, Tom) and then branching out into different themes (here, different things Tom may be feeling etc.) to visually outline information]. Around the outside of the circle, ask them to write down:

- a) how you think Tom may be feeling. (Sad, hurt, angry, worried and/ or confused)
- b) questions you think Tom may have at this time. (Is this because of something I have done? Is there any chance of you staying together? Where am I going to live? Who am I going to live with? How often will I see my other parent? Will I have to change schools? Will I be able to keep up my friendships/hobbies/time with wider family? How will things get sorted out? Will I be asked what I want? If so, by whom? Will I have to go to court?)
- c) support you think Tom may need and any examples you know of support that may be available to him. (Support needed may include - good friends around him; peer support from others who've been through this; good pastoral support at school; good information online to get some of his questions answered; someone to speak to about how he's feeling; someone to speak to about what he would like to happen around arrangements for his care. Sources of support may include- pastoral support at school; friends or wider family; ChildLine or other counselling service).

Note: Do not give any further hints or tips, even if learners ask questions. They should not share their ideas with classmates during the activity. This will give you the opportunity to see what learners' own beliefs and ideas are before the learning session begins.

Circulate the room as learners complete their mind maps in order to gauge what learners know/think/feel/believe in relation to the topic. After learners have had 3-4 minutes or so to complete their mind maps, ask for all class feedback (using the suggested answers above to guide you). **Ask** learners not to add anything else to their mind maps during class feedback and to put these to one side as they will return to them (and these 3 questions) at the end of the learning session.

Core activities



6 Grief cycle – slides 20

The 'statements of what matters' for Health and Well-being state that learners must be able to 'explore the connections between their experiences, mental health and

emotional well-being... [and] recognise that feelings and emotions are neither fixed nor consistent'. Learners should also learn 'how to communicate their feelings [so] learners will be better placed to create a culture where talking about mental health and emotional well-being is normalised'.

The 'statements of what matters' for Health and Well-being also state that learners should be given opportunities to '[develop] empathy... [enabling them] ... to act in a way which supports the mental health and emotional well-being of others.' For learners whose parents have not separated, discussing the feelings of a young person whose parents have separated should help them to develop empathy and act in ways that support others who have experienced parental separation.

Here the emphasis is on the fact that parental separation can be a form of grief for children and that many go through a five-stage cycle, much in the same way as they experience grief because of bereavement. The emphasis should be on normalising some of the feelings that young people may have if their parents separate, such as anger or sadness. Every child's experience is unique and will depend in part on the situation at home prior to the separation and how amicable the parents are upon separation. If the home life had been difficult, the separation may be a relief. Not every child will feel all of these things or progress in a linear fashion through them.

Distancing techniques should be used, so describing how it is normal that **Tom** might feel hurt, sad, bewildered, angry or overwhelmed. Normalise how it is common for young people to feel that they were somehow responsible for the separation (the bargaining aspect of the grief cycle refers to attempts by young people to change their own behaviour in the hope that a parent will return home).

Split the class into 5 groups and allocate to each group a stage to focus on and provide advice about. Tell the learners that Tom's friend from football club, Samir, wants to support Tom. Give learners 2 minutes to come up with 3 top tips for Samir that could help Samir support Tom through his parents' separation. Once learners have had an opportunity to discuss their stage of the grief cycle (in their group).

Ask each group to feedback what their 3 top tips would be for Samir that could help Samir support Tom through his parent's separation. [Listen to how he's feeling, without judging and 'be there' for him; help him to seek out pastoral support at school; reassure him that he is not to blame for the separation and encourage him to keep up with friends, hobbies, exercise etc.]



7 The Rights Idea? video – slide 21

Show the class the 'The Rights Idea?' video asking learners, as they watch, to make a note of and then feedback the three things that it indicates young people are entitled to under the UNCRC when their parents separate.

Press control, click on the 'The Rights Idea?' link to play video. There is a link to both English and Welsh language versions of the video.

Take feedback from the class – learners should identify that young people are entitled to **information, consultation and (if needed) representation**. Emphasise that these are all voluntary – young people have the right to have their voices heard and to be consulted, but equally they have the right not to be consulted if they do not wish to be.



Support activity:

Consider suggesting that learners pull out 1-2 points from the video only.



Extension activity: Consider asking learners to pull out the different ways that Chloe said that Tom could make his voice heard – (through meeting with the mediator if his parents went to mediation; through speaking to the Family Court Adviser (FCA) or sometimes the judge if his parents went to court and by having a lawyer represent him in court if needed).



3 Quick fire quiz – slide 22

To consolidate learning from the video, take 3 minutes to ask the class to answer the 5 questions. To ensure that all participate, either provide a handout for learners to complete/refer back to if they find they need the information in future (a handout is at the end of this Teacher Guide) or ask learners to write down their answers before asking individual learners to give their answer to a question.

In slideshow mode, each question in the left-hand box is followed by an answer in the right-hand box.



2 True or false – slides 23

Tell learners that Tom's friend Samir has been helping to support Tom through his parents' separation. It's got Samir thinking about some of their other friends from football club whose parents aren't married. Samir wonders what might happen if these parents split up.

To set up the myth busting exercise on the next slide, run through this true or false quiz. In slideshow mode, each question in the left-hand box is followed by an answer in the right-hand box. For glossary of terms, see above. To ensure that all learners actively engage with the learning, ask all learners to put their hands up or down/thumbs up or down, depending on what they think the answer is.



5 Myth busting – slides 24-26

When parents separate, as the learners have just learned, young people are entitled to information. Some of the information they are likely to want will be on the sources of support available to them (which follow in 'sources of support' at slide 30 below) and details about the process itself – What will happen? How will decisions be made?

The information here is an overview only of the process, with the aim of busting some common myths and misunderstandings.

1. That the only way to formalise a relationship is to get married.
2. Myths around the rights of cohabiters – 'the common law marriage myth'.
3. That parents must go to court to sort things out.

Greater detail on the law is given on teacher slides 8-12.

Myth 1: The only way to formalise a relationship is to get married.

In fact: Mixed-sex and same-sex couples can get married or enter into a civil partnership (CP): both require a court process to legally end the relationship if it breaks down.

Myth 2: After a certain period together/if you have a child together, cohabiting couples have the same rights as married couples: 'The common law marriage myth'.

In fact: Cohabiting relationships are the fastest growing family form in Wales and England¹³ but, unlike those who are married or in a CP, cohabitants are not entitled to claim financial support from each other if they separate (although both parents must financially support their children).

Myth 3: Parents must go to court to sort things out.

In fact: Parents are strongly encouraged to agree finances and childcare arrangements without going to court, wherever possible.



⑦ Changes to the law on divorce – slides 27-29

Slide 27: In 2020, approximately 59% of families in Wales with dependent children were married, 18% were cohabiting and 23% were lone parent families.¹⁴ Whilst rates of cohabitation are increasing, most parents who separate will have been married.

¹³ In 2020, an estimated 21% of individuals aged 16 and over living in a couple in Wales were cohabiting (322,697 individuals) and 79% were married or in a civil partnership (1,214,854 individuals) (See Office of National Statistics, 16 December 2021:

<https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/populationestimates/datasets/populationestimatesbymaritalstatusandlivingarrangementswales>, Table 4).

¹⁴ See

<https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/populationestimates/datasets/populationestimatesbymaritalstatusandlivingarrangementswales>, Table 4

Here, therefore, we look briefly at the process of divorce, which is set to change in April 2022.

Explain to learners that different religions have different views on divorce, and those views will be respected, but this is not the focus of the learning.

The person applying for the divorce is called ‘the Applicant’ and the other party is called ‘the Respondent’.

Explain to learners that under the ‘old’ law (in force until April 2022), the Matrimonial Causes Act 1973, if a spouse wanted to divorce quickly than they had to prove that the other has committed adultery (had sex with a member of the opposite sex whom they are not married to) or behaved unreasonably. If the Respondent objects to the allegation then they could defend the application, but this rarely happens as it is an extremely costly process involving court hearings. If an Applicant does not wish to allege fault they would need to show that they had been separated for two years (provided the other party agreed) or five years if the other party did not agree (there is one other technical fact of two years desertion but this is rarely used). The current law has been widely criticised as the requirement to ‘blame’ the other person can increase animosity. Most English speaking western countries: USA, Canada and Australia as well as much of Europe have had a no-fault divorce system for many years.

[NB, in case a learner asks, the requirements for ending a married same-sex relationship is essentially the same as ending a mixed-sex marriage, save that adultery can only be relied on if it involves sexual intercourse with a member of the opposite sex. Adultery is not a fact the party can rely on to end a civil partnership. The removal of fault, which is discussed on slide 29, removes this anomaly and the lack of a fair and even-handed approach for all couples – this is a higher-level point ,so only cover if a learner raises it].

Slide 28: Tell learners that Tom and Samir have just learnt at school about changes happening to the divorce law. Tell learners that Tom thinks this law is outdated but his friend Samir isn’t so sure. In pairs, **ask** learners to create 2 lists – noting down on one list at least 3 reasons why Tom might think the law is outdated (what are the ‘cons’ of the law?), and on the other at least 3 reasons Samir might disagree (what are the ‘pros’ of the law?). **Ask** some of the learners to feedback what they have put on the 2 lists.

Now explain to the learners why the change was felt to be needed and what the ‘new’ law sets out. Explain that wider reforms in the family justice system in recent years have focussed on reducing conflict and promoting resolution, yet alleging fault can cause distress, escalate conflict, increase costs and make resolution less likely. It is hoped the move to no-fault divorce will make it less acrimonious and therefore lead to better outcomes for children.

The Divorce, Dissolution and Separation Act 2020 removes fault from the process. The ground for divorce remains the same – the marriage must have irretrievably broken down – but this is proved by the passage of time. The Applicant can apply for a final

order 26 weeks after filing the application. There is no option to defend the divorce and the application can be made jointly. For some, it will increase the length of time it takes to get a divorce because the so-called 'quickie' facts of adultery or unreasonable behaviour no longer apply.

Ensure, when teaching this, that you consider with learners the 'rights' of the different parties affected and how sometimes rights can be in tension with each other. For example, if there is a 'right' to divorce for all adults, without having to allege fault, if one person wants the divorce but the other doesn't, then one person's 'right' to divorce will be at the expense of the other person's 'right to family life' under the Human Rights Act 1998, Article 8. Equally, even if the decision to separate is mutual, this will adversely impact on the child's 'right to family life'. Also, divorce can lead to economic disadvantage for women, as they tend to reduce their work hours to care for children so tend to be earning less than men if they have children- but rules are in place to ensure that women's contribution to the family life are viewed as equal to financial contributions.

Remind learners that in The Rights Idea? video we learned that Chloe, Jack and Rosie's parents made an application to court because they couldn't agree arrangements for the children. If the divorce was applied for before 6 April 2022, then they would have had to have applied for a divorce under the old law and alleged fault if they wanted to obtain a divorce without waiting for at least two years if they both agreed to the divorce or five years if one objected.

Ask learners to comment on what impact they think it may have had on the case if Chloe's parents had divorced after the law changed and therefore 'fault' was not an issue.

Answer: It may have cost less. It may have made the separation less acrimonious. It may have made it easier for the parents to agree the arrangements for the children between themselves and therefore made an application to court less likely. Because it may have been more amicable, the parents may have been more open to listening to their children's views (and therefore it would have been more likely that the children's Article 12 rights would have been upheld from the outset).



Extension activity: (End of slide 28) Consider asking learners to reflect on how they think the rates of marriage, civil partnership and cohabitation might change in future – do they think the trend of increasing rates of cohabitation will continue, or will the new divorce law encourage higher rates of marriage? Might the new divorce law encourage higher rates of divorce?



4 Sources of support – slide 30

Remind learners of the support available to them in school from the pastoral team. There is also lots of information and support available to young people online including:

National Youth Advocacy Service, Cymru (NYAS Cymru): NYAS Cymru provides a range of rights-based services for children and young people through a network of qualified advocates. Advocates ensure that the views of children and young people are listened to, particularly in decisions which are made about them. NYAS Cymru works to ensure that young people's Article 12 rights to information, consultation and representation are respected. It provides information to young people on its website; a free helpline and an advocate for young people. The advocate will find out what the young person's wishes and feelings are. They will help the young person to start, change or stop something in their life. They can go with the young person to meetings, if the young person wants them to, and help them to tell people what the young person wants or speak for them if they don't want to. The advocate will represent a young person in court, if needed.

National Association of Child Contact Centres (NACCC): NACCC runs a network of 350 contact centres, including 13 in Wales, which provide a safe, neutral, welcoming space for children to spend time with parents (or other people important to them, such as grandparents). Contact centres are used for children, usually up to around the age of 9, often as a stepping stone to contact away from a contact centre where parents have not been able to agree contact. The NACCC website has lots of information for children and young people to help them to understand how they may be feeling when their parents separate, as well as videos and stories of other young people's experiences of using a contact centre. Whilst contact centres are used for a younger cohort of children, this information can be useful to learners working at Progression Steps 4 and 5 as they may have younger siblings/ wider family/ family friends in this younger age group.

Children's Commissioner for Wales: The Children's Commissioner for Wales speaks up for children and young people in Wales on important issues. The Commissioner supports children and young people to find out about their rights under the UNCRC; listens to children and young people to find out what's important to them; advises children, young people and those who care for them if they think they've been treated unfairly and influences government and other organisations who say they're going to make a difference to children's lives, making sure they keep their promises to children and young people. The website has lots of resources for young people, particularly in relation to their UNCRC rights.

Cafcass Cymru: Cafcass stands for Children and Family Court Advisory and Support Service. Cafcass Cymru is an organisation in the Welsh Government that provides a voice for any child in Wales that is involved with the Family Justice system. When appointed by the family court, the Family Court Adviser (FCA) from Cafcass Cymru works with families and other organisations to find long-term

solutions for the child. The Cafcass Cymru website has lots of information for young people, including a booklet explaining children's rights under the UNCRC and the court process if parents apply to court.

Relate Cymru: Relate Cymru offers counselling to young people who are experiencing difficulties in any area of life, including if parents are arguing or have separated. Counselling is available in school, at a Relate Cymru Centre, by web chat, telephone or online. Young people can expect to be helped by a supportive and non-judgmental counsellor. They can be referred by a teacher, social worker, or can ask to see a counsellor themselves – what they say is confidential unless the counsellor is worried about their safety.

Childline Cymru: Childline Cymru has a huge amount of information, advice and support for young people whose parents have separated, available online, by telephone or through one-to-one counselling.

Assessment of learning



5 Endpoint assessment – slide 31

Ask the learners to return to the mind map they drew earlier (by now they will have learned what a mind map is, if they weren't already familiar with them) and in a different colour add to their mind map by writing down:

- any additional words for how you think Tom might have felt when his parents told him they were separating
- any words for how you think Tom might have felt once he had learned of his rights to express his opinion and spoken to the mediator his parents saw? (Words like hopeful, happier, stronger and/or empowered will hopefully be suggested. It is important to acknowledge however that he may still be feeling sad.)
- where could Tom find information and support to help him at this time and in the future (giving specific examples of organisations)?

Learners should mention: National Youth Advocacy Service, Cymru (NYAS Cymru); National Association of Child Contact Centres (NACCC); Commissioner for Wales; Cafcass Cymru; Relate Cymru and/or Childline Cymru.



2 Homework or extension task – slides 32-33

Homework or extension task: For homework, allocate to each table one of the listed sources of support for young people whose parents have separated. Ask the learners to each carry out some independent research on the source of support allocated and

be ready to share some information they learned from their research about children's rights when parents separate.

An added benefit of this homework task is that any learner who needs these contact details for personal reasons, either for themselves or for a friend, will be able to note them down without drawing attention to themselves.

Slide 33 sets out the four questions that the learner will be asked to research from one of the six organisations allocated to them. The details of the organisations from the previous slide are repeated here so that a young person who wants to write down the details without drawing attention to themselves will be able to do so.

The Rights Idea?’

Young people’s rights under the United Nations Convention on the Rights of the Child

Resource 2: Quick-fire quiz

What did you learn from watching ‘The Rights Idea?’ animation? Answer the five questions below in the boxes.

Question	Answer
1. What is the name of the person who helps parents to reach an agreement without going to court?	
2. Where did Rosie have contact with her dad at first?	
3. What does a Family Court Advisor do?	
4. Do children have to go to court if their parents make an application to court?	
5. Can children make their own application to the court?	