

# Northern Ireland report to the United Nations Committee on the Rights of the Child

September 2007

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## **Foreword by the Secretary of State for Northern Ireland**

As Secretary of State for Northern Ireland I am pleased to join with the First Minister and Deputy First Minister in presenting this report which records how Northern Ireland is measuring up against the United Nations Convention on the Rights of the Child to which the United Kingdom is a signatory.

The purpose of the report is threefold. Firstly, it forms part of the formal process through which the UK reports on a periodic basis to the UN Committee on the Rights of the Child the progress we are making in meeting our obligations under the Convention. This is a duty we take very seriously. Secondly, as we can now join with Scotland and Wales in presenting a report on our own specific circumstances, we can bring out more clearly the achievements we have delivered here since the last UK report some 5 years ago. There have been many and they are recorded in this report. But, notably, my immediate predecessor, Peter Hain, with the appointment of a ministerial champion for children, presided over not only the production of a 10-year strategy for children and young people but also unprecedented levels of investment in mainstream provision and support for the most needy.

Thirdly, the report reminds us that we have more to do. Having a long-term strategy with aspirational aims, for example, is fine provided we deliver on our promises. And, as we move purposefully towards the devolution of criminal justice and policing, we must ensure that organisational, structural or even constitutional boundaries do not prevent us from working together to deliver fully on our commitments.

But perhaps the greatest prize we have secured for every child and young person in Northern Ireland is a future free from the age-old divisions and enmities that have blighted previous generations. Through the Good Friday Agreement to the St. Andrews Agreement we have created opportunities for children here unimaginable when the UNCRC was first ratified in 1991. I am committed to playing my part in ensuring that those opportunities are exploited to the full.

**Shaun Woodward**

**Secretary of State for Northern Ireland**

## **Foreword by the First Minister and deputy First Minister**

We would like to introduce the Northern Ireland report on the United Nations Convention on the Rights of the Child. This is the first time since the UK ratified the Convention in 1991 that we have produced an individual report on progress in implementing those rights. Whereas the UK Report to the Committee covers the whole of the United Kingdom and has limited information on Northern Ireland, this report gives us the opportunity to set out the position here in some detail.

The UN Convention on the Rights of the Child is an international human rights treaty that recognises and protects the human rights of children. It was unanimously adopted by the UN General Assembly in 1989 and is the most widely ratified international human rights instrument. The Executive is committed to the Convention. Indeed it will inform and guide the implementation of the cross-departmental 10 year strategy for children and young people. The strategy aims to produce improved outcomes for all children and young people. We see children and young people as a priority for the new administration and it is for this reason that the 10 year strategy has the rights of the child as a central principle.

Much of this report reflects the decisions taken prior to devolution on 8 May 2007, however it is now our responsibility to broaden, deepen and strengthen those actions as we move forward, particularly as and when criminal justice and policing is devolved.

The next few years will be important ones for devolved government here. Our children and young people must have an opportunity to fulfil their potential and shape our future. We are committed to ensuring that they have that opportunity.

**Rt Hon Dr Ian RK Paisley**  
First Minister

**Martin McGuinness**  
deputy First Minister

## Acknowledgements

Sincere thanks is due to Paula Keenan and Deena Haydon who facilitated consultation with children and young people and assisted with the production of the report, including a version for young people.

Thanks is also due to the children and young people, voluntary and community organisations, who willingly gave of their time to take part in the consultation exercises or make written submissions to the department.

## INTRODUCTION

### Purpose of this report

The government of the United Kingdom ratified the United Nations Convention on the Rights of the Child (UNCRC) on 16 December 1991. Part of this commitment involves submitting periodic reports to the UN Committee on the Rights of the Child, outlining progress towards implementing the UNCRC. The UK submitted its consolidated 3<sup>rd</sup> and 4<sup>th</sup> periodic reports to the UN Committee in July 2007. This, alongside alternative reports submitted by other interested parties, will form the basis of the UK's examination by the UN Committee.

In Northern Ireland, the Children and Young People's Unit in the Office of the First Minister and Deputy First Minister (OFMDFM) has lead responsibility for compiling the region's contribution to the overall UK report. That report was initially prepared by OFMDFM as its contribution to the UK periodic report to the UN Committee on the Rights of the Child. The periodic report covers the whole of the United Kingdom, but has limited information on Northern Ireland. This report sets out the regional position in greater detail.

The first stage in this process involved collating relevant information from a range of government departments and agencies. This information is presented in a number of sections addressing particular groups of rights and is in keeping with the UN Committee guidance on the form and content of periodic reports.

This process for preparing the UK government's report commenced in early 2006. As part of the process, government sought to reflect the views of children and young people and children's organisations in the NGO sector, in their report. An earlier version of this report (alongside a version for children and young people) was distributed to a range of organisations in the NGO sector which are concerned with children's rights, groups of children and young people and the four Area Children and Young People's Committees. This facilitated a dialogue between those constituencies and government during a series of consultations that took place in February 2007. It is further hoped that this report may prove useful to those organisations and groups intending to submit their own reports to the UN Committee. In addition, a young people's version of this report will be produced.

For many years the work of government departments across Northern Ireland has benefited enormously from the on-going engagement with children's organisations in the NGO sector. We appreciate their further engagement in the process of compiling this report. However, we are clear that the final report as submitted to the United Nations Committee on the Rights of the Child must, under the terms of the Convention, be a report by the government of the United Kingdom. The views and comments of NGOs gathered as part of this engagement are incorporated in an appendix, as presented. Where inaccuracies or gaps have been identified these have been addressed. The endorsement or otherwise of the report's contents will be evident from the comments made or the views presented.

### Context

Northern Ireland's **devolved administration** was suspended on 14 October 2002. From that date, the Secretary of State for Northern Ireland, assisted by his team of Northern Ireland Office Ministers, assumed responsibility for the operation of government departments in Northern Ireland.

Following negotiations among political parties in October 2006, culminating in the St Andrews

Agreement, a parliamentary bill was prepared allowing for the restoration of the Assembly and the devolved institutions. **Devolution was restored** to Northern Ireland on 8 May 2007.

**However, this report was written when direct rule was still operating and should be read in that context. It should also be noted that following restoration of the Assembly, certain matters remain within the competence of the Westminster Parliament, for example those relating to juvenile justice, policing, immigration and asylum, and are therefore not within the competence of the Assembly.**

In addition, a **Review of Public Administration (RPA)** was launched by the Northern Ireland Executive in June 2002 and was then progressed by direct rule ministers taking account of the views of the local political parties and other stakeholders.

The Review of Public Administration was a comprehensive examination of the arrangements for the administration and delivery of public services in Northern Ireland. It covered over 150 bodies, including the 26 district councils, the Health and Social Services Boards and Trusts, the five Education and Library Boards and approximately 100 other public bodies.

The Review was completed in March 2006 and initial decisions about the shape of public administration in Northern Ireland were announced by the Secretary of State.

Key decisions, taken by direct rule Ministers, included:

- Local councils were to be reduced from 26 to 7 by 2009 and the new councils were to have an increased range of powers;
- A new Education and Skills Authority was to be established to focus on the operational delivery of educational services, including schools, youth services, early years and pre-school, and the strategic planning of the estate for those services. It would also ensure delivery of the 14 to 19 curriculum;
- A considerably smaller and strategically focused government department for health and social services was proposed;
- A single Health and Social Services Authority was to replace the existing four Health and Social Services Boards to drive performance management of the overall system;
- 18 Health and Social Care Trusts were to be reduced to 5.
- The remaining 81 non departmental public bodies were to be reduced to 54.

Issues of equality, social need, good relations and rights have been key themes in both the process of undertaking the review and will be central to its outworking.

The restoration of the Assembly and the devolved institutions on 8 May 2007 means that decisions taken by direct rule Ministers on the RPA fall within the remit of the new Northern Ireland Executive. Devolved Ministers are presently reviewing the decisions they inherited and changes may follow.

## CONCLUDING OBSERVATIONS

Following the last examination of the United Kingdom in 2002, the UN Committee made 84 concluding observations. While these apply across the state party (the UK government), some, for example those involving ratifying optional protocols, can only be addressed at UK Government level. Information on what has been done in Northern Ireland in relation to UK-wide concluding observations is detailed in the relevant main sections of this report.

There were a number of concluding observations pertaining to the particular situation of children here. Progress in relation to these is outlined below.

### Concluding observation

**The Committee is concerned at the continued use of plastic baton rounds as a means of riot control in Northern Ireland as it causes injuries to children and may jeopardize their lives. Following the recommendations of the Committee against Torture (A/54/44, para. 77 (d)), the Committee urges the State party to abolish the use of plastic baton rounds as a means of riot control (paragraphs 27&28).**

### Response

The L21A1 baton round is no longer used operationally by police or military in the UK. Significant progress has been made in the development of less lethal technologies to replace it, and the operational introduction of the Attenuating Energy Projectile (AEP), which took place on 21 June 2005 to all police forces in the UK and the Army, was part of that process.

The firing of the AEP is governed by strict ACPO guidelines which make specific reference to Article 3C of the United Nations Code of Conduct for Law Enforcement Officers and every effort is made to exclude the use of firearms, especially against children.

Within 24 hours of an incident where AEPs are discharged, the Police Service of Northern Ireland (PSNI) supplies a report on the incident to the Northern Ireland Policing Board. In addition, each time the system is used, the circumstances are investigated by the independent Police Ombudsman, who reports his/her findings to the Policing Board.

The Westminster Government has stated publicly that the AEP will not be used for the purposes of public order/crowd control but only in response to an individual or individuals threatening violence where the only alternative would be the use of live rounds. This follows the same rules as in England and Wales.

The Government is committed to monitoring other less lethal measures and to ensure that developing systems are medically evaluated and fully assessed where appropriate. Work is currently underway to assess the suitability of a completely new projectile, the Discriminating Irritant Projectile (DIP).

### Concluding observation

**The Committee welcomes the abolition of corporal punishment in all schools in England, Wales and Scotland following its 1995 recommendations (ibid., para. 32), but is concerned that this abolition has not yet been extended to cover all private schools in Northern Ireland. It welcomes the adoption by the National**

Assembly for Wales of regulations prohibiting corporal punishment in all forms of day care, including childminding, but is very concerned that legislation prohibiting all corporal punishment in this context is not yet in place in England, Scotland or Northern Ireland (paragraph 35).

### Response

The prohibition on using corporal punishment in education in Northern Ireland was extended to independent schools by legislation from 1 April 2003. Corporal punishment is now outlawed in all schools, both grant aided and independent. In addition, the Department of Education will be consulting with key stakeholders on introducing legislation that will prohibit the use of physical punishment by childminders.

### Concluding observation

Increase the budget for and take appropriate measures and incentives to facilitate the establishment of additional integrated schools in Northern Ireland to meet the demand of a significant number of parents; (paragraph 48 g)

### Response

There has been significant expansion of, and investment in, the integrated schools sector since 1999: total enrolments have increased from just over 11,000 to over 17,600 at October 2006.

The number of integrated schools has increased from 41 to 56, the increase including the transformation of 5 existing schools to integrated status.

Between 1999 and 2007 capital investment in integrated schools has totalled more than £90 million and approximately £26.4 million has been allocated for capital development costs in grant-maintained integrated schools in the 2007/08 financial year.

The final report of the 'Towards a Culture of Tolerance: Integrating Education' (TACOT:IE) Ministerial Working Group, which discussed strategic planning of the education sector and development of a strategic approach to transformation has been superseded by the publication of Sir George Bain's Strategic Review of Education which included consideration of the issues addressed in the Working Group's draft report. The issues identified by the TACOT:IE Group will be taken forward as an integral part of the outworkings of the Bain report.

### Concluding observation

In line with its previous recommendations (ibid., para. 34), review the emergency and other legislation, including in relation to the system of administration of juvenile justice, at present in operation in Northern Ireland to ensure its consistency with the principles and provisions of the Convention. (paragraph 54 c)

### Response

The Northern Ireland-specific provisions in the Terrorism Act 2000 were repealed with effect from 31 July 2007. Thereafter, this statute applies in Northern Ireland as it applies to the rest of the United Kingdom.

The criminal justice system in Northern Ireland was the subject of a fundamental review in 2000. The review made 294 recommendations, including a number pertaining to Youth Justice. Almost all of the recommendations have been taken forward with the introduction of new legislation as necessary. These include:

- The establishment in April 2003 of the Youth Justice Agency as an executive agency within the Northern Ireland Office to provide for a more effective focus on offending by children and to further the emphasis on community-based, rather than custodial, interventions;
- The closure of unsuitable suitable custodial facilities for children and the building of a new state-of-the-art Centre;
- The introduction of Youth Conferencing based on restorative principles with interventions at court and pre-court stages;
- The introduction of new community orders, a bail support scheme and bail fostering to provide further sentencing options and to support the long-term aim of reducing the number of young people in custody; and
- The inclusion of 17 year olds in the youth court from August 2005.

The UK Government believes that the spirit of the Convention is incorporated in Northern Ireland legislation, policy and practice. In particular Section 53 of the Justice (Northern Ireland) Act 2002 requires all persons exercising functions in relation to the youth justice system to have regard to the welfare of children affected by the exercise of their functions with a view to furthering their personal, social and educational development.

## 1. GENERAL MEASURES OF IMPLEMENTATION

### 1.1 HUMAN RIGHTS INSTITUTIONS

There are three institutions in Northern Ireland concerned with the rights of children and young people.

#### Commissioner for Children and Young People for Northern Ireland

1. The Commissioner's role is defined in the legislation setting up the office – The Commissioner for Children and Young People (Northern Ireland) Order 2003. The Commissioner's principal aim as described in the legislation is *"to safeguard and promote the rights and best interests of children and young persons"*. The Commissioner has an annual budget of £1.897 million and reports regularly to the Assembly and Parliament on how the budget is spent.

The detailed powers set out in the legislation can be grouped under three main areas of work:

- **Promoting children's rights** – the Commissioner is guided by the UN Convention on the Rights of the Child.
  - **Complaints and Legal action** – the Commissioner can deal with individual complaints from children and young people, or their parents/guardians about government services like education, health, adoption and fostering, youth justice, road safety – indeed any service that impacts on those under 18. The Commissioner has to take account of any existing complaints mechanism first. Where appropriate the Commissioner can start or take over legal proceedings on behalf of a child or young person if a general principle is at stake.
  - **Research and Inquiries** – the work of the Commissioner is based on thorough research. The Commissioner has been working with universities and other agencies to ensure this. The Commissioner has the power to undertake general inquiries into issues where she believes children are being adversely affected. This may be an informal inquiry or more formal with the powers of the High Court to summons witnesses, obtain documents and enter premises. She can also respond to a request from the Assembly and Parliament to look at issues. The Commissioner is also required to review the ways that those providing services for children listen to complaints and take account of children's' views.
2. Involving children and young people in the work of the Commissioner for Children and Young People for Northern Ireland (NICCY) is central to its operation. A youth panel of 42 members has been established to primarily act as a sounding board for the Commissioner. The panel directly influences NICCY's business plan through offering insight into the issues that are faced by young people today. Its members are a broad representation of society to enable NICCY to get a balanced view on issues that are raised enabling and young people to exercise their right to an opinion effectively and appropriately. At present the panel have had input into 49 different pieces of work and currently sit on 18 separate project sub committees.
  3. A review of the 2003 Order has recently been completed by the Commissioner. The review focussed on the adherence of the office to the Paris Principles and paid close attention to the General Comment No 2 from the Committee on the Rights of the Child.

4. A series of recommendations were made in relation to composition, mandate, powers, autonomy and resources of the office. The Executive is considering the review.
5. Relations between the Commissioner for Children and Young People and OFMDFM are governed by a Management Statement and Financial Memorandum (MSFM). OFMDFM is required under the MSFM to carry out a review of the office at least once every three years. This is currently underway, following a delay to allow for the appointment of the new Commissioner for Children and Young People (in January 2007).

### **The Equality Commission for Northern Ireland (ECNI)**

6. The Equality Commission for Northern Ireland (ECNI) is a public body with statutory functions which include working towards eliminating unlawful discrimination and to promote equality of opportunity on the grounds of disability, gender, race, age, sexual orientation, marital status, religious belief, political opinion and those people with/without dependents. The Commission has specific responsibilities under Section 75 of the Northern Ireland Act (1998) in relation to assisting and guiding public authorities in implementing their statutory equality and good relations obligations arising from Section 75, and monitoring compliance with the legislation.
7. It is also required to keep under review the effectiveness of these duties. ECNI also has a statutory duty under the Race Relations (Northern Ireland) Order 1997 to promote good relations between persons of different racial groups. Children are covered within this, as appropriate.
8. ECNI is constituted as a Non-Departmental Public Body and is funded by Grant-in-Aid (approximately £7m per annum) from the Office of the First Minister and Deputy First Minister.

### **The Northern Ireland Human Rights Commission (NIHRC)**

9. The Northern Ireland Human Rights Commission (NIHRC) is an independent, statutory body, which came into existence on 1 March 1999. It was created by section 68 of the Northern Ireland Act 1998, following a commitment made by the UK government in the Belfast (Good Friday) Agreement of 10 April 1998.
10. The Commission is one of three National Human Rights Institutions in the UK and has an exclusive remit for Northern Ireland. It was awarded "A" status at the meeting of the International Co-ordinating Committee of National Human Rights Institutions in Bolivia in October 2006.
11. The Commission has a full-time Chief Commissioner. There are a variable number of part-time Commissioners (currently nine). The NIHRC annual budget is £1.475 million in 2006-07.
12. NIHRC's role is, among other things, to promote awareness of the importance of human rights in Northern Ireland, to review existing law and practice and to advise the Secretary of State and the Executive Committee of the Northern Ireland Assembly (when it is functioning) on what legislative or other measures ought to be taken to protect human rights in Northern Ireland.

13. It is specifically charged with advising on the scope for defining, in Westminster's legislation, rights supplementary to those in the European Convention on Human Rights (which is part of the law in Northern Ireland as a result of the passing of the Human Rights Act (1998)). These additional rights – taken together with the ECHR – would constitute a Bill of Rights for Northern Ireland.
14. The government has established a Bill of Rights forum, with representatives from the political parties and civic society, to discuss a Bill of Rights for Northern Ireland. The inaugural meeting of the Forum was held in December 2006, with the then Minister David Hanson chairing the meeting. The Children's NGO sector is represented on the forum.
15. On 15 March 2007, the Northern Ireland Office announced that Chris Sidoti, a human rights lawyer and activist had been appointed as Independent Chair of the Bill of Rights Forum.
16. The Bill of Rights Forum will now work independently of government. The Forum's work will inform the Northern Ireland Human Rights Commission as it fulfils its statutory duty to provide advice to the Secretary of State on the scope for defining, in Westminster legislation, rights supplementary to those in the European Convention on Human Rights reflecting the particular circumstances of Northern Ireland.
17. The Forum is expected to complete its work by the end of December 2007.
18. In addition, the Commission is able to conduct **investigations** and has the power to assist individuals when they are bringing court proceedings, to intervene in proceedings and to bring court proceedings itself. It receives inquiries from people who believe that their human rights have been violated, and provides training and information on human rights.
19. The Westminster Government intends to extend to the Commission statutory power to access places of detention and to compel information as part of its investigations. It will also have the power to rely upon the European Convention on Human Rights when initiating judicial proceedings. The Justice and Security (Northern Ireland) Act 2007 gave effect to these powers from 1 August 2007.

## 1.2 CO-ORDINATION AND ACTION PLANNING

20. While overall responsibility for co-ordination of the Convention throughout the UK rests with the Department for Children, Schools and Families (formerly the Department for Education and Skills), this work is taken forward in Northern Ireland by the Children and Young People's Unit (CYPUP) in the Office of First Minister and Deputy First Minister (OFMDFM).
21. A significant development since the last periodic report has been the publication of a **ten – year strategy for children and young people**. The strategy, 'Our Children and Young People – Our Pledge: A Ten Year Strategy for Children and Young People in Northern Ireland 2006-2016' was launched in June 2006. It is the culmination of an extensive engagement process involving children and young people, representatives of voluntary sector organisations and personnel from statutory agencies and departments.
22. The strategy developed over a number of key stages including a three day stakeholder residential event, training on the UNCRC and child rights programming (facilitated by Save the Children and the Children's Law Centre) and a series of cross sectoral working groups. All of these involved children and young people. A young people's advisory group was

established and played a key role in supporting CYPU to develop the strategy. In addition a number of NGOs facilitated consultations with children and young people.

23. The final version of the strategy was strengthened considerably through the consideration of comments, on earlier drafts, received from children and young people and from NGOs.
24. The strategy is based on a vision statement that includes all children, and is explicitly informed and guided by the UNCRC. It sets outcomes for progress in six areas - that children and young people are:
  - Healthy;
  - Enjoying, learning and achieving;
  - Living in safety and with stability;
  - Experiencing economic and environmental well-being;
  - Contributing positively to community and society; and
  - Living in a society which respects their rights.

## Implementation

25. The two Junior Ministers in the Office of the First Minister and Deputy First Minister fulfil a co-ordinating role in respect of cross-cutting policy issues relating to children and young people. The Ministers will not detract from, or be a substitute for other Ministers, who will maintain ultimate responsibility for their respective policy areas. The Junior Ministers will also take the lead in implementing the strategy for children and young people.
26. A Strategy Planning and Review Group (SPRG) will be established. Membership of the group will include senior representatives of statutory, voluntary and community sector organisations. Executive departments, including the Northern Ireland Office and the Northern Ireland Court Service, will also be represented on the group.
27. The Departmental representatives will be at a senior level and drawn from the Children and Young People's Inter-departmental Group (IDG) which was set up to oversee the development of the strategy. Attendance by departments will be determined by the agenda of SPRG meetings. The chair of IDG will always attend meetings of SPRG and report back to IDG.
28. The role of the SPRG, when established, will be to advise on future action plans, which will identify the actions to be taken across government to deliver on our strategic aims over a three year period. Departments will be required to provide timescales for the completion of actions and identify delivery leads and partners. The first action plan was published in March 2007 and will be reviewed on an annual basis and updated as necessary
29. A number of other groups will be established to advise on the impacts of the strategy:
  - a Practitioner's Group, consisting of representatives of agencies delivering services for children and young people, will provide commentary on the implementation of the strategy from the perspective of front-line staff;
  - a Research and Information Group, consisting of key research and information interests. The group will advise on the development of a research programme and report on the findings of key research, relevant to children and young people, which may have implications for government policy and service delivery in this area; and

- a Parent's Advisory Group, consisting of approximately 30 parents, will provide commentary on the implementation of the strategy and the impacts on children and families from a parental perspective. This was established in March 2007.
30. Given that it is our aim to embed a culture of engaging with children and young people and involving them in decision-making, it is our intention to develop mechanisms that facilitate engagement in a way that is natural and achieves the cultural change we are seeking to effect. Work on the development of those mechanisms has commenced. We have established a Participation Network, the aim of which is to:
- offer training and consultancy support to the statutory sector in order to engage directly with children and young people;
  - develop and promote standards of good practice in relation to child and youth participation; and
  - develop a bank of resource materials, information and a website in relation to child and youth participation.
31. The Participation Network will work in tandem with existing or planned participation structures, including a Participation Hub, which aims to deliver a coherent approach to the participation of children and young people, integrate existing and emerging participation structures and ensure that children and young people have the capacity to engage. Emerging structures will include the Northern Ireland Network for Youth which will be established to strengthen the direct voice of young people in all relevant aspects of government provision.
32. For the life of the strategy and beyond we will, therefore, ensure that children and young people are routinely involved in the public decision-making process and regularly review the efficacy of these arrangements.

## Resources

33. The strategy has been launched and underpinned by a £107 million investment from 2006-08 in the Children and Young People's Funding Package. This is in addition to the significant resources already allocated to services for children and young people in Northern Ireland. The package is demonstrable evidence of a commitment to children and young people. The impact of this investment will be an important consideration in future funding decisions in respect of the Priorities and Budget 2007, a comprehensive spending review, which is currently underway.
34. Another important consideration in determining future funding will be the joint review of comparative spending across the UK on children and young people recently completed by the Commissioner for Children and Young People, the Department of Finance and Personnel and the Office of the First Minister and Deputy First Minister. The review examined trends in spending on children and young people in Northern Ireland and drawing comparisons with other parts of the United Kingdom (also referenced on page 17).

## Measures of progress

35. We have developed a set of indicators which will be used to measure the success of the

ten year strategy. Detailed action plans will be directly linked to the outcomes framework and will be produced and reviewed throughout the implementation period of the strategy. Targets linked to indicators will also be a matter for future action plans.

36. Taken as a whole the action plans will contribute to, or facilitate, the move towards a society which is respectful of the rights of children and young people.
37. While the strategy will govern work towards the realisation of children's rights and well-being at a regional level across Northern Ireland, co-ordination and planning of services is particularly important at local level. The work undertaken by the **Area Children and Young People's Committees** is also crucially informed by an explicit commitment to children's rights. These committees consist of senior representatives across the statutory, voluntary and community sectors who share responsibility for the commissioning, co-ordination, planning and review of services for children in each of four areas.
38. The four area committees have made a joint commitment to incorporating the principles involved in addressing children's rights in their approach to planning. Each states that their plan is based on children's rights, as set out in the UNCRC. All those involved in the Southern Area committee recently completed extensive training in the UNCRC and child rights programming, provided by Save the Children and the Children's Law Centre. Lead officers in all four areas have also undertaken training with those agencies, designed to link high level planning outcomes with child rights indicators.

### 1.3 REMEDIES, COMPLAINTS, ADVOCACY

39. The Department of Health, Social Services and Public Safety (DHSSPS) issued '*Care Matters in Northern Ireland – A Bridge to a Better Future*' Strategy in March 2007 for consultation. The strategy is based on the Care Matters Strategy, produced by the Department for Children, Schools and Families for England and Wales, taking account of local needs and variations. The aim of the strategy is to improve services and outcomes for children and young people in and on the edge of care in all aspects of their lives through improved cross-departmental, inter-agency and multi-disciplinary working.
40. We see access to a range of advocacy services as an important protection for a child or young person in care and have ensured additional funding through the Children and Young People's Funding Package. As part of the Care Matters consultation we are seeking views about whether it is necessary or desirable to legislate for greater provision of advocacy to make it available to all children and young people in care. The consultation period for Care Matters ends on 3 September 2007 after which final policy will be determined taking account of the responses to the consultation.
41. Social Services have a statutory requirement under the Children (Northern Ireland) Order 1995 to provide independent visitors to children and young people in care. Under Care Matters we are proposing to strengthen and extend the role of the independent visitor to that of an 'independent advisor'; strengthen the advocacy role of the independent advisor and allow contact with the independent advisor to continue into adulthood and independence.'
42. Advocacy arrangements have been established for children in care. Funding of £1.32 million over the next two years has been allocated to a voluntary sector organisation, Voice of Young People In Care (VOYPIC) for this purpose.

43. Personal advisors are available under the Leaving and Aftercare legislation. As part of the ongoing care process, looked after children reviews are carried out on an ongoing basis using an inter-agency approach.
44. Under the Police & Criminal Evidence (Northern Ireland) Order 1989 and associated Codes of Practice, juvenile detainees in police custody have a statutory right to have an appropriate adult present, particularly during police interviews. The appropriate person may be a parent, relative or guardian; a social worker, member of a care authority or voluntary organisation; or some other responsible adult aged 18 or over. Their role is to ensure that the young person understands what is happening to them and why, and to provide support, advice and assistance to them whilst in police custody.
45. Children in custody in Northern Ireland also have access to the Independent Representation Scheme provided by the Northern Ireland Association for the Care and Resettlement of Offenders (NIACRO) (NGO) and there are plans to develop the service further to strengthen a specific advocacy aspect of the work. The Young Voices Project offered by Include Youth (NGO) provides children in custody with a further opportunity to express their views and concerns. Children in custody who are care experienced will be provided with advocacy by VOYPIC.
46. A new complaints charter, which has an independent element, will be available in child-friendly form and has been the subject of widespread consultation, was published in October 2006. Following public consultation by the Northern Ireland Prison Service (NIPS) a Prisoner Ombudsman, appointed under the Prison Rules, took up post in May 2005. All children and young people in prison custody have the right to complain to him, once the internal complaints resolution system is exhausted. In addition NIPS has appointed Opportunity Youth to act as advocates for children and young people in internal disciplinary proceedings. Children in custody can also raise concerns during unannounced visits by the Social Services Inspectorate, and planned inspections and visits by the Chief Inspector of Criminal Justice for Northern Ireland, the Northern Ireland Human Rights Commission, the Commissioner for Children and Young People for Northern Ireland (NICCY) and other bodies operating under international conventions. A recent report by the Criminal Justice Inspectorate in conjunction with NICCY has made a number of recommendations for improving complaints arrangements across the criminal justice system.
47. Within the Courts system Guardians Ad Litem have a general duty in specified public law proceedings under the Children (Northern Ireland) Order 1995 and in adoption proceedings under the Adoption (Northern Ireland) Order 1987 to safeguard the best interests of the child and represent the child's wishes and feelings to the court. Guardians Ad Litem must also have regard to the child's welfare being paramount and the general principle that any undue delay in determining the question is likely to prejudice the welfare of the child. It is intended that new legislation will also ensure that advocacy services will be available to young people in care who wish to make representations.
48. Children and young people generally have the right to approach the Northern Ireland Ombudsman and the Commissioner for Children and Young People for Northern Ireland for assistance when they have concerns.
49. In addition, the Children's Law Centre (NGO) operates a fully independent, comprehensive and accessible advice service in relation to children's rights and the law.

## 1.4 TRAINING ON THE UNCRC

50. During the development of the 10 year strategy for Children and Young People, 127 civil servants and NGO sector personnel were involved in training on the UNCRC and child rights programming. The training was also delivered to the Young People's Advisory Forum. Save the Children and the Children's Law Centre have developed the training further and recently delivered new modules to 80 people responsible for Children's Services Planning in the Southern Health and Social Services Board.
51. A number of professional groups have also undertaken human rights training:
- During the course of 2005/06, over 140 front-line staff in the Youth Justice Agency have received training in human rights. Training is provided on an ongoing basis to ensure that all staff are aware of their responsibilities in relation to the human rights of children;
  - The Department of Education, in association with the 5 Education and Library Boards and in partnership with the Children's Law Centre, has developed a programme of human rights awareness training for head teachers and principals, members of Boards of Governors and those teachers who have an interest in human rights in Education;
  - As recommended by the Patten Review of Policing in Northern Ireland, the Police Service of Northern Ireland (PSNI) now has an annual Training, Education and Development Strategy. The overarching aim of the strategy is to create a professional police service, with integrity, delivering a service that enhances public safety and justice while respecting human rights. Core themes include human rights, diversity, and equality;
  - The Policy, Research and Youth Division of the Department of Education have requested training on the UNCRC. The aim of the training is to ensure that officials are familiar with convention principles and have due regard to the convention when developing policy;
  - The judiciary has attended training courses on "Bringing rights home to children" and "Children's rights – moving on";
  - Lay magistrates have received training on "The rights of the child in the Youth Court and Family Court" and "Children's rights – the frontier between Care and Justice" and a number of courses on ensuring the child's voice is heard in proceedings; and
  - The Northern Ireland Court Service, as part of its induction programme, provides Human Rights Training to all new entrants; this training is described as awareness. More in depth training is also provided to all legal officers.

## 1.5 MAKING THE CONVENTION WIDELY KNOWN / AVAILABILITY OF REPORTS

52. The first step in supporting children to realise their rights is to ensure that they are aware of those rights. The Commissioner for Children and Young People for Northern Ireland (NICCY) has a particular responsibility in this regard. NICCY promotes the UNCRC in a variety of ways, by producing accessible information, hosting a website, organising events

and communicating with the media. During 2004/2005, the first full year of operation, the NICCY web-site had an average of 6,000 unique visitors each month. Fifty events were hosted at the NICCY city centre offices and over 900 Children's rights related items appeared in the media.

53. Steps have also been taken to ensure that all children in school in Northern Ireland learn about their rights under the Convention. The Education (Northern Ireland) Order 2006 took effect on 1 August 2006 and includes provision for a revised Northern Ireland curriculum. The revised curriculum includes Citizenship education, which will equip all pupils with the knowledge and skills they need to participate fully in society. They will have opportunities to use local and global examples to investigate topics such as diversity, inclusion, cultural heritage, equality, democracy, participation and human rights, for example the key principles outlined in instruments such as the UNCRC and the European Convention on Human Rights (ECHR) and situations where human rights have been infringed.
54. The revised curriculum will be introduced into schools on a phased basis from September 2007 to 2010, but some elements are already being piloted in schools and a support programme for schools is already underway.
55. Many NGOs contribute to the work of informing children about their rights. The Children's Law Centre in particular has produced an extensive range of accessible material including posters, leaflets on specific rights, videos and educational materials. They have also developed and successfully delivered the "Road to rights" accredited training course for young peer educators.
56. The process for making reports to the UN Committee publicly available and for engaging a range of stakeholders in their preparation is described in the introduction.

## **1.6 NATIONWIDE DATA AND BUDGET ANALYSIS**

57. The process of compiling the statistical information requested by the UN Committee for inclusion in this report has highlighted a number of gaps. While we have been able to provide some of the relevant information, it has become clear that some important data is not collected in a way that supports full disaggregation. We are aware that this has implications in relation to providing the clearest evidence of our compliance with the Convention and in working towards developing child rights indicators.
58. By their nature, contributions to support services for children from private, voluntary or commercial sources are not controlled or monitored by central government and therefore we are unable to provide figures for these investments. It is also difficult to provide full and robust comprehensive figures for expenditure by central and local government, the National Health Service, police and other statutory bodies. There are many separate funding streams allocated and managed by such bodies and while budgets for children can be identified in several policy areas, some key areas (eg health) do not separate spending on children from their generic budgets (paragraph 62 refers).
59. However, work to address this is currently underway. Research Branch in the Office of the First Minister and Deputy First Minister (OFMDFM) has contributed to the development of strategic indicators contained within the Children and Young People's Strategy and represents OFMDFM at the Northern Ireland Childcare Research Forum. The purpose of the forum is to act as a vehicle to help co-ordinate and promote ideas on children's research needs which in turn can be used to inform and prompt policy development,

promote changes and improvement in practice and ultimately bring about better outcomes for children in Northern Ireland. Through the forum, OFMDFM Research Branch took the lead and funded the development of a children's research database. The database provides a central point for all research on children in Northern Ireland. The framework for the search categories is based on the UNCRC.

60. In addition, the methodology for measuring children's enjoyment of their rights is presently being discussed by OFMDFM, the Children's Law Centre, Save the Children, other NGOs and academics.
61. The proposed reconfiguring of administrative structures, particularly in relation to Education, Health and Social Services, through the implementation of the RPA, allied to the imperative for integration at the heart of the new 10 year strategy for children and young people creates an opportunity to address gaps in data collection. OFMDFM is committed to exploring the issue of collecting appropriate disaggregated data through the Strategy Research and Information Group as a matter of urgency.

Meanwhile the statistical information that is currently available is presented in the **data** section of this report (see pages 73 - 98).

62. Significant progress has been made in relation to the requirement to undertake an analysis of sectoral budgets to show the proportion of spending on children. The Children and Young People's Unit, OFMDFM, and the Department of Finance and Personnel have jointly funded research, which was carried out by the Economic Research Institute of Northern Ireland (ERINI) and the Institute of Fiscal Studies (IFS) on behalf of the office of the Commissioner for Children and Young People. The ERINI research considered how public funding provision for children and young people in Northern Ireland compares with the rest of the UK. It assesses if children and young people in greatest need have benefited (or otherwise) in comparison to their counterparts in the rest of the UK.
63. The IFS research provides a description and analysis of the amount of child-contingent support that families in Northern Ireland receive in relation to the rest of the UK and how this has changed since 1997.
64. The information was published on 3 July 2007 and can be viewed at [www.niccy.org](http://www.niccy.org).

## 2. DEFINITION OF THE CHILD

1. The definition of the child has not changed significantly since the last report. Some matters are worthy of note:
  - Section 53 of the Justice (Northern Ireland) Act 2002 extended the youth justice system to 17 year olds. This provision was commenced on 30 August 2005.
  - For the purposes of the ten year strategy for children and young people, a child/young person is defined as someone under/up to 18 years of age. For children who are/have been in care, or children with a disability, the age limit extends to 21 years.
  - The legislation establishing the office of the Commissioner for Children and Young People empowers the Commissioner to help those who are leaving care or who have a disability up to the age of 21 years.
2. In relation to the number of children living in Northern Ireland the most recent estimates are for 2005. At that time it was estimated that 434,780 children under the age of 18 were living in Northern Ireland (223,086 boys and 211,694 girls).
3. An amendment to the definition of an "arrested juvenile", under the Police and Criminal Evidence (Northern Ireland) Order 1989 (PACE), brings PACE provision into line with how 17 year olds are treated within the youth justice system in Northern Ireland. It also aligns PACE with the other legislation and International Conventions that define a 17 year old as a young person, and not an adult.
4. The amendment to PACE was made by Article 18 of the PACE (Amendment) (Northern Ireland) Order 2007 and will be commenced as soon as a number of practical arrangements are put in place.

### 3. GENERAL PRINCIPLES

#### 3.1 NON-DISCRIMINATION

##### Legislation

1. In recent years a number of equality issues have been addressed by different pieces of legislation introduced into Northern Ireland. Most legislation is broadly similar to that in the rest of the UK. However, **Section 75** of the Northern Ireland Act 1998 requires public authorities in carrying out their functions relating to Northern Ireland, to have due regard to the need to promote equality of opportunity –
  - between persons of different religious beliefs, political opinion, racial group, age, marital status or sexual orientation;
  - between men and women generally;
  - between persons with a disability and persons without; and
  - between persons with dependents and persons without.
2. A public authority is also required in carrying out its functions to have due regard to the desirability of promoting good relations between persons of a different religious belief, political opinion or racial group.
3. Over 200 public bodies are currently designated for the purposes of Section 75. These statutory obligations are implemented through having an Equality Scheme (which is a statement of the public authority's commitment to the statutory duties and a plan for their implementation) and through the screening, and where necessary Equality Impact Assessment (EQIA) of all policies to check for potential adverse impacts on equality of opportunity across any of the nine categories. Where potential adverse impacts are identified mitigations must be identified. The processes of screening and EQIA both require some degree of consultation with people with an interest in, or likely to be affected by, the policy.
4. This legislation is particularly progressive because it takes into account issues which had not been covered by any previous legislation such as age, sexual orientation, political opinion and having dependants.
5. The **Race Relations (Northern Ireland) Order 1997 <sup>(a)</sup> (RRO)** follows closely the provisions of the 1976 Race Relations Act in Great Britain. It outlaws discrimination on grounds of colour, race, nationality or ethnic or national origin. The Irish Traveller community is specifically identified in the Order as a racial group against which racial discrimination is unlawful. The RRO makes racial discrimination unlawful in the following areas:
  - employment;
  - goods, facilities and services;
  - education; and
  - housing management and disposal of premises.
6. The Race Relations (Northern Ireland) Order 1997 <sup>(a)</sup> was amended by the Race Relations Order (Amendment) Regulations (Northern Ireland) 2003 to implement requirements of the EU Race Directive 2003/43/EC. These amendments give people greater protection from unlawful racial discrimination and harassment on the grounds of race, ethnic or national origins.

7. The Criminal Justice (No. 2) (Northern Ireland) Order (2004) came about due to the high ratio of racist incidents being reported to the police in Northern Ireland compared to England and Wales. It creates new legislation for Northern Ireland in the area of '**hate crime**'. Article 2(3) defines an offence as "aggravated by hostility if, either at the time of the offence, immediately before or after its commission, the offender demonstrates hostility to the victim based on the victim's racial, religious or sexual orientation group, or on his/her disability". The legislation includes a statutory requirement for judges to treat any of the factors mentioned above as aggravating factors when sentencing.
8. The Employment Equality (**Sexual Orientation**) Regulations (Northern Ireland) (2003) make it unlawful to discriminate against an individual on grounds of sexual orientation in employment and training.
9. In addition, using a power in the Equality Act 2006, we have brought forward a set of regulations to prohibit discrimination on the ground of Sexual Orientation in the provision of goods, facilities and services in Northern Ireland. This took effect on 1 January 2007. These regulations are currently subject to a judicial review.
10. The main provisions of the **Employment Equality (Age) Regulations** (Northern Ireland) (2006) (S.R. No 261) came into operation on 1 October 2006. The Regulations apply to employment and vocational training. They prohibit unjustified direct and indirect age discrimination, harassment and victimisation on grounds of age, young or old.
11. The **Disability Discrimination** (Northern Ireland) Order 2006 strengthens and extends the coverage of the Disability Discrimination Act 1995, increasing the scope of legislation to include more people with disabilities. For example, people diagnosed with cancer, HIV and multiple sclerosis (MS) but not yet showing signs of their illness will now be protected by disability legislation for the first time. People with mental ill health will no longer have to prove their condition is "clinically well-recognised".
12. The new laws will also provide extra protection for disabled people in other areas such as private clubs and in discriminatory job advertisements. Under the new laws disabled people living in rented premises will now find it easier to have their homes adapted to meet their needs.
13. Transport will become more accessible to disabled people as the legislation will require all trains to be fully accessible by 2020. The legislation also introduces an important provision that will enable lifting of the transport exemption from Part III of the Disability Discrimination Act 1995 for land-based public transport, vehicle hire, breakdown services and leisure and tourism transport vehicles.
14. The Order also extends current legislation to bring the functions of public authorities within the scope of disability legislation for the first time and imposes a new duty on them to promote positive attitudes towards disabled people and encourage their participation in public life. The extension of the Act in this way will impose further duties on the public sector not to discriminate against disabled people across the whole range of its public activities
15. Given the range of legislation governing equality and discrimination, the government has been consulting extensively on proposals to introduce a **Single Equality Bill**. Proposed legislation aims to harmonise existing anti-discrimination and equality legislation as far as is practicable and will update and extend existing provisions where appropriate.

## Monitoring and Action

16. A number of strategies are being taken forward in relation to equality and discrimination. These are based on research which has monitored the situation of the groups concerned, have been produced in close consultation with members of the affected groups, contain frameworks upon which targeted action plans will be based and progress assessed. A range of policies also address equality issues.
17. A **Racial Equality Strategy** was published in 2005. The strategy takes account of the obligations under the UN Convention for the elimination of all forms of Racial Discrimination and the Durban Declaration and Programme of Action. It sets out a framework for government and all sections of civil society in Northern Ireland for the creation of a community where racism, in any of its forms, is not tolerated and where all people enjoy equality of opportunity and equal protection. On 27 April 2006 the first annual action plan to implement the Racial Equality Strategy was published. The Strategy specifically acknowledges that people's identities are complex and that an individual's identity may be made up of several factors such as gender, age, religion, disability, ethnicity and sexual orientation. It also recognises the need to maintain clear linkages between the racial equality strategy and other anti-discrimination policies and strategies as they are implemented. There is also a commitment given to ensure effective links between the implementation of this strategy and other policies and strategies to tackle inequalities. Specific attention will be paid to the multiple identities, multiple discrimination and inequalities experienced by minority ethnic people in the development, implementation and monitoring of the Action Plans. Including, where appropriate, the development of specific actions, shared actions with other strategies and the development of associated performance indicators. A number of actions in the first Implementation Plan relate specifically to children and young people.
18. A **Gender Equality Strategy**, published on 19 December 2006, which will focus on identifying and directing action to tackle gender inequalities and promoting gender equality for men and women in Northern Ireland. It will be supported by two action plans (targeted separately at women/girls and men/boys) and high-level gender equality indicators.
19. A **Sexual Orientation Strategy**, due to be published in Autumn 2007, has been developed through working with lesbian, gay and bisexual and transgendered (LGBT) representatives. We have been able to identify issues of concern to LGBT people including health, employment, violence, partnership rights and housing. There are also specific issues for young people, minority ethnic LGBT people and lesbian women. Our draft strategy and proposed action plan is the mechanism through which the Northern Ireland departments and the Northern Ireland Office will coordinate their action to address these issues and promote equality of opportunity for lesbian, gay and bisexual people.
20. Work on **disability** is being taken forward by the Promoting Social Inclusion Disability Working Group which was established in November 2004, in response to the Breaking the Barriers Conference (February 2004). The Working Group is examining barriers which exist for people with disabilities across 5 subgroups:
  - Access to Employment;
  - Children, Young People and Families;
  - Legislation, Citizenship and Attitudes;
  - Transport, Access, Housing and Information; and
  - Lifelong Learning, Culture, Arts and Sport.

21. The Northern Ireland Housing Executive Equality Unit **Race Relations Policy 2006** aims to:
- “Ensure that all Black and Minority Ethnic People in Northern Ireland can enjoy full and fair access to housing services and employment opportunities within the Housing Executive. It aims to support the promotion of good relations between and within ethnic groups and communities.”

The main policy proposals include:

- Mainstreaming black and minority ethnic issues in policy development;
- Racial harassment and intimidation;
- Promoting black and minority ethnic social inclusion;
- Community participation and development; and
- Migrant worker issues.

### 3.2 BEST INTERESTS OF THE CHILD

22. The Children (Northern Ireland) Order 1995 centres on the paramountcy of the welfare of the child to ensure that any decisions about a child best promote his/her welfare and are in his/her best interests.
23. In developing new policy and legislation, we seek to ensure compatibility with these principles. New adoption legislation, for example, will place the child at the centre of the adoption process. The Department of Health, Social Services and Public Safety (DHSSPS) has also made arrangements to audit the existing public law aspects of the Children (Northern Ireland) Order 1995 and associated regulations to examine compatibility with the international standards set out in UNCRC and ECHR.
24. We have introduced, within the Leaving and Aftercare legislation, personal advisers to all children in care. Personal advisers are available from age 16.
25. In line with England and Wales, we plan to extend the remit of residence orders until young people are 18 years of age.
26. Within the criminal justice system government believes that the spirit of the Convention is incorporated in Northern Ireland legislation, policy and practice. We prefer the term welfare of the child to the term best interests, as it is better defined and understood in law.
27. In particular Section 53 of the Justice (Northern Ireland) Act (2002) requires all persons exercising functions in relation to the youth justice system to have regard to the welfare of children affected by the exercise of their functions with a view to furthering their personal, social and educational development.

### **3.3 RIGHT TO LIFE, SURVIVAL AND DEVELOPMENT**

#### **Regional safeguarding board for Northern Ireland (SBNI)**

28. DHSSPS has recently consulted on proposals to replace the four current Area Child Protection Committees with a Regional Safeguarding Board for Northern Ireland which will take a comprehensive, co-ordinating and strategic view of safeguarding practice across the region. It will have an independent chair and membership will be drawn from relevant organisations such as HSS Trusts, District Councils, Youth Justice, NSPCC, the Judiciary and other relevant organisations.
29. The Safeguarding Board for Northern Ireland (SBNI) will ensure a consistent approach to safeguarding practice in and between all the key organisations. The Board will have a responsibility to forge effective links with bodies outside Northern Ireland that impact on the lives and well being of children here. A small focused working group has been established to take forward the main issues surrounding the establishment of the Board and the group is meeting regularly to progress this area of work.

#### **Child death review protocol**

30. DHSSPS, in conjunction with relevant professional groups and other key stakeholders, has developed a Child Death Review Protocol which outlines the responsibilities of statutory agencies and professional staff when dealing with the sudden or unexpected death of a child. It takes account of best practice and recommended procedures arising from the most recent policy and research developments within this area of expertise. The Protocol was drafted by a multidisciplinary regional working group and a period of widespread consultation has just ended. It is anticipated that the final document will be published later in 2007.

#### **Suicide prevention strategy**

31. Following growing concerns about an increase in the number of suicides, particularly among young people, a Taskforce was established in July 2005 to develop a separate Suicide Prevention Strategy for Northern Ireland. Following an extensive engagement and consultation process the final Strategy, "Protect Life – A Shared Vision", was published on 30 October 2006.
32. The Strategy aims to tackle the issue throughout the general population, but also contains actions aimed at those individuals and communities at most risk, particularly young males. Recurrent funding of £1.9 million has been secured for the implementation of the Strategy in financial year 2006/07, and a total of £3 million has been identified for 2007/08 onwards. The Strategy identifies the need to promote the development of policies which enhance the positive mental health and well-being of children and young people, and which protects them from bullying. Local plans containing actions to reduce suicidal behaviour, including actions helping individuals to improve self-esteem and cope with stress, have been developed in each Health and Social Services Board area.

#### **Road Safety**

33. Improving road safety, especially for children, is an important objective for government in Northern Ireland. In November 2002, government set targets for road casualty reductions and measures for achieving them in the Northern Ireland Road Safety Strategy 2002-2012.

The objectives of the strategy include educating drivers and other road users to behave safely and responsibly, and improving the safety of roads and vehicles. The strategy contains 26 action measures aimed specifically at children including measures to educate children to behave safely on the road, to make home to school travel safer, and to increase child safety in cars and other vehicles.

34. The current road safety target for child casualties is to reduce casualties by 50% from 250 (based on the 1996-2000 annual average) to fewer than 125 by the year 2012.
35. In 2005, 15 children were killed and 114 seriously injured on the roads in Northern Ireland representing a reduction of 48% since the strategy was introduced.

### 3.4 PARTICIPATION

36. The Department of Education (DE) along with colleagues in the cross-sectoral Youth Service Liaison Forum has produced a **Strategy for the Delivery of Youth Work in Northern Ireland**. Participation is one of four key themes within the strategy. The youth service's vision of the future is one where all young people are able to enjoy themselves, realise their potential and participate as active citizens in a secure and peaceful society; know their rights and responsibilities and have these rights protected and promoted; are valued, understood and involved and feel safe and supported.
37. The mission of the youth service, to be achieved through this Strategy, is to promote the development, well-being, rights, and participation of young people (aged 4-25) by ensuring that: high quality youth work is inclusively and effectively delivered to facilitate the personal and social development of young people within a supportive public policy framework. Youth work may engage in all aspects of a young person's development – personal, social, educational, political, cultural, spiritual, physical, and vocational; young people have the skills, knowledge and opportunities to make informed choices about their lives, are at the heart of designing, managing and evaluating youth work policy and practice and can make a meaningful contribution within public and political decision-making processes; there are adequate resources and funding to effectively deliver the Strategy; and there are clear roles and responsibilities for the delivery of the Strategy and the organisations involved are held accountable for the delivery of the Strategy and collaborate effectively.
38. There are a number of ways in which government engages with the youth sector. The Northern Ireland Youth Forum was established in 1980, arising out of government policy for greater involvement of young people at all levels within the Youth Service. The aims of the Forum are to encourage participation and empowerment of young people and to be an effective voice for all young people. Its activities include holding conferences, arranging exchanges, peer education programmes, undertaking cross-community development work and issuing publications and information for the benefit of young people.
39. The Forum is managed by an Executive Committee of young people aged between 16 and 25 who come from all over Northern Ireland. It provides important links with other relevant organisations and agencies including YouthNet, the Youth Council for Northern Ireland and equivalent organisations in Great Britain and the Republic of Ireland. The Forum receives funding from the Youth Council for Northern Ireland
40. DE has commissioned work with young people to come up with indicators for the Children and Young People's Funding Package via Northern Ireland Youth Forum (NIYF) and has

commissioned NIYF to work with young people to get their input in relation to shaping the new initiative – Northern Ireland Network for Youth, which will be established to strengthen the direct voice of young people in all relevant aspects of government provision.

41. As outlined in the ten year strategy for children and young people the Children and Young People's Unit, OFMDFM, has allocated funding of £150,000 p.a. to establish a Participation Network. The Network will work closely with government departments and agencies to develop their capacity to meaningfully engage with children and young people.
42. In addition, The Big Deal, under the National Lottery, has funded Youthnet and Playboard to create a Participation Hub which aims to deliver a coherent approach to the participation of children and young people in Northern Ireland. Targeting children and young people aged 0-10, 11-16 and 17-25 years old, the Hub will operate three linked age specific strategies which will involve:
  - identifying what participative structures currently exist and sharing models of effective practice;
  - increasing the level of children and young people's involvement in the planning and management of activities and services for them; and
  - building connections and creating networks for children and young people to influence public policy and decision-making locally, sub-regionally and across communities of interest.
43. There has also been progress in relation to young people's involvement at local council level. **Shadow Youth Councils** have been developed in several areas, including in the largest Council in Northern Ireland (Belfast City) which has recently developed a Shadow Youth counterpart – the Belfast City Council Youth Forum.
44. Children and young people were also involved in the first and subsequent processes to appoint a Commissioner for Children and Young People for Northern Ireland and senior staff in the Commissioner's office.
45. In addition to these substantial developments there is increasing evidence that **consulting with children and young people** is becoming an integral aspect of policy development work.
46. In November 2004, the Department of Health, Social Services and Public Safety (DHSSPS) launched a taskforce to consider issues around childhood obesity. As part of the **Fit Futures** initiative, an engagement process was established that involved a range of stakeholders with an interest in preventing overweight and obesity in children and young people. It was decided that engaging with children, young people and parents at the start of the process would allow their views to inform and direct discussions with all other stakeholder groups. This engagement was facilitated on behalf of the taskforce by Northern Ireland Pre-school Playgroup Association (NIPPA) - the early years organisation, the Northern Ireland Youth Forum and the Parents Advice Centre, who ensured effective engagement and involvement of over three hundred children and young people, and over two hundred parents. On the basis of these consultations, the Fit Futures steering group made over 70 recommendations on priorities for action to the Ministerial Group on Public Health in March 2006. At this time, a commitment was given to producing a Government response to the report, including a cross-departmental implementation plan. This draft Implementation plan was launched for a six week consultation on 1 February 2007 and,

following the close of the consultation period on 16 March 2007, all responses are currently being analysed with a view to publishing the final implementation plan later this year.

47. In May 2007, the Minister for Education announced that she is working with the Gaelic Athletic Association (GAA) and Irish Football Association (IFA) to introduce a sports programme in primary schools from September 2007, focusing initially on Gaelic games and soccer. The emphasis will be on encouraging participation and an enjoyment of 'getting out there' and developing physical literacy skills.
48. DHSSPS has established a **Children Matter Taskforce**, one of its objectives has been to oversee the design and development of the new Regional Secure Unit for young people. Members of the regional organisation, Voice of Young People in Care (VOYPIC), served as members on the Children Matter Project Team and Working Group. Their role was to represent the views of care experienced children and young people, facilitating and co-ordinating their involvement in the decision making process. Twenty-one young people were involved in the initial stages of the project. Through individual interviews, young people outlined their day to day routine within the unit and how the physical environment impacted on them. The young people assisted in the design of the overall shape of the complex. Three young people received training in relation to recruitment and selection and one young man sat on the selection committee for the recruitment of the design team. The views and aspirations of the young people were incorporated into the design of the facility. Current residents have been facilitated by VOYPIC to help design the interior and test the durability and safety of the materials used.
49. Children in custody were also involved in developing the design for the **new Juvenile Justice Centre**. One was involved in the process for selecting the design and others worked with staff and the Young Voices Project (provided through Include Youth) to provide a range of ideas on layout, recreation facilities and colour schemes.
50. During the consultations on developing **Lifetime Opportunities** (the anti poverty and social inclusion strategy for Northern Ireland) children and young people were afforded the opportunity to participate in the process through a specially organised workshop in conjunction with the Derry Children's Commission. This event allowed a wide range of children and young people from areas of disadvantage within Derry to offer their views on the development of the strategy and helped identify the real issues facing children and young people experiencing poverty and social exclusion.
51. The office of the **Commissioner for Children and Young People for Northern Ireland (NICCY)** has been involved in a number of participative initiatives to ensure that the views of children and young people inform the setting of priorities for the commissioner. Queen's University Belfast was commissioned to undertake comprehensive research to establish the current state of children's rights in Northern Ireland. Among a range of stakeholders, 1064 children from 27 schools and 107 children from outside the mainstream education system were consulted. The document (available at [www.niccy.org](http://www.niccy.org)) is an invaluable resource to all agencies interested in basing their priorities on a thorough analysis of children's rights in Northern Ireland. A wide-ranging public consultation campaign was also conducted, the results of which formed the basis of the Commissioner's priorities and corporate plan 2005-08. Responses were received from 1800 sources, of these at least 392 were from children and 300 were from parents. NICCY has also established a team of participation workers based in four regional offices.

52. There is a recognition that some constituencies of young people need particular support in order to participate. The Southern Area Children and Young People's Committee has developed a partnership with Barnardo's aimed at supporting **young people with disabilities** in the area to contribute to the planning of services. The Board is required to establish inter-agency sub-committees on particular themes to undertake service planning across the board area. The sub-group on disability includes young disabled people as active participants. The involvement of these young people is supported by Barnardo's Sixth Sense project. The project works with a range of young people with disability, some of whom have severe communication problems, to build their capacity through training and development programmes. The group members identify and prioritise issues that are then brought to the sub-committee by the young members. The chair of the sub-committee hosts a pre-meeting preparation session with the young representatives to ensure that their issues will be addressed at the inter-agency meeting. Members of the Sixth Sense group recently participated in Save the Children / Children's Law Centre training on the UNCRC and Child Rights Programming. Members of the group also travelled to Geneva to take part in a day of general discussion with the UN Committee on the Rights of the Child.
53. For the development of this report, officials met with 12 different groups of children and young people, including children and young people considered 'hard-to-reach'. This included meetings with young people with a disability, who have left care, have special needs, are gay, lesbian or bi-sexual, have been in conflict with the law or in alternative education provision. Consultations were conducted across Northern Ireland. A selection of their views can be found at Annex B of this report.

**Data section (please refer to page 75 – 76)**

## 4. CIVIL RIGHTS AND FREEDOMS

### 4.1 NAME AND NATIONALITY

1. According to the legislation (**Births & Deaths Registration (Northern Ireland) Order 1976**) all Births in Northern Ireland must be registered in the District of Birth or the District (in Northern Ireland) in which the Mother of the child was normally resident at the time of birth. All births within Northern Ireland should be registered within 42 days. Figures are published each year in the Registrar General's Annual Report.
2. Current adoption legislation allows for children who have been adopted to be supported in tracing their birth families. New adoption proposals will strengthen this area of post adoption support/tracing birth families for all parties involved in this process.

### 4.2 CORPORAL PUNISHMENT, INHUMAN, DEGRADING TREATMENT

5. **Corporal punishment** was prohibited in all state and grant aided schools in Northern Ireland and extended to the independent sector under the Education and Libraries (Northern Ireland) Order (2003). The Department of Education will also be consulting with key stakeholders on introducing legislation that will prohibit the use of physical punishment by childminders.
6. **Physical punishment in the home** – Article 2 of the Law Reform (Miscellaneous Provisions) (Northern Ireland) Order (2006) provides for the restriction of the defence of reasonable chastisement to the summary charge of common assault and precludes the use of the defence in civil proceedings where the harm alleged amounts to actual bodily harm.
7. The legislation is currently subject to Judicial Review undertaken by the Commissioner for Children and Young People for Northern Ireland.
8. Article 2, which commenced on 20 September 2006, will be underpinned by ongoing work on positive parenting. An inter-disciplinary group, led by the Civil Law Reform Division in the Department of Finance and Personnel, has been established to take forward the work on positive parenting. The Group has initiated an information campaign, which will not only increase parents' awareness of the alternatives to physical punishment but also encourage professionals to highlight alternatives to physical punishment. On the professional side, guidance has issued to professional groups within the Health and Personal Social Services (HPSS) on the change of law and the importance of promoting positive parenting initiatives. On the parents' side, the Group has issued a short booklet entitled "Top Tips for Parents: Your Guide to Positive Parenting" which, as its title suggests, sets out tips for managing behaviour and identifies sources of help and support. The booklet can be viewed at <http://www.dhsspsni.gov.uk>. The Group is preparing a booklet for parents with teenage children, which it hopes to launch in the Autumn of 2007.
9. The direct rule government under the Secretary of State considered that Article 2, coupled with the ongoing work on positive parenting, offers the best prospect of securing real and significant change on the ground in terms of the use of alternative methods of discipline.
10. DE encourages the promotion of **positive parenting** through Sure Start projects, which offer training and information to parents on alternatives to physical punishment.
11. DHSSPS funds organisations that develop and run parenting programmes and has also issued a Safe Parenting Handbook, which contains advice for new and existing parents on

a range of issues, including positive parenting. The Handbook, published in conjunction with the Area Child Protection Committees with input from the larger voluntary sector organisations, includes a section on managing behaviour, which encourages parents to teach children by setting limits and explaining the reason for the limits.

12. Positive parenting will also be a key issue for the family and parenting strategy, "Families Matter: *Supporting Parents in Northern Ireland*", currently being taken forward by DHSSPS. The strategy will be advocating an increase in the number of parenting education programmes to assist parents by increasing the provision of parenting classes on positive parenting and anger management.

## Restraint

### In schools:

13. Article 4 of the Education (Northern Ireland) Order (1998) authorises school staff to use reasonable force (the minimum force necessary) to restrain or control pupils in certain circumstances, notably in a situation where the pupil is likely to cause serious harm to him/herself, to other pupils, school staff or school property. Staff must also take into account whether it is reasonable to use force, the degree of force that could reasonably be employed given the age, sex, physical strength, size, understanding, medical conditions and any special educational needs of the pupil.
14. The Department of Education (DE) issued a Circular to schools in 1999 providing clarification and guidance on the use of reasonable force to restrain or control pupils. This was supplemented in 2003 by a document intended to help each school formulate its own policy on this matter. Following concerns expressed by some schools, a further guidance document was produced and was distributed to schools by the Education and Library Boards (ELBs) before the end of the 2003/04 school year. This document set out a structured framework for the development of a school policy on the use of reasonable force.
15. The ELBs offer suitable training to school staff as appropriate on the use of reasonable force/safe handling and other preventative strategies. Staff in Special Schools and staff dealing with pupils with serious emotional/behavioural difficulties in settings outside mainstream schools are those most likely to need training on physical restraint techniques. The ELBs have also established multi-disciplinary Behaviour Support teams to offer professional advice and practical support to schools on a range of behavioural and disciplinary matters including the use of reasonable force.

### In custody:

16. The Northern Ireland Office (NIO) does not sanction or tolerate institutional violence.
17. All staff in the Juvenile Justice Centre who work directly with children complete full Therapeutic Crisis Intervention (TCI) training to give them the skills to de-escalate volatile situations without resort to physical restraint. These staff also receive full initial and refresher training in the use of Physical Control and Care (PCC) to facilitate safe restraint when this is unavoidable. Support Services staff receive break-away training. In Hydebank Wood Young Offenders Centre and Prison, TCI training has been delivered on a trial basis to the majority of staff working on the Juvenile landings. It is intended that all staff working in the establishment will eventually receive TCI training. In addition it is mandatory for all Northern Ireland Prison Service (NIPS) staff to undergo annual training in the Use of Force, Control and Restraint and de-escalation techniques. Non prison grades and support

workers receive annual training in Defensive Techniques. NIPS published a revised use of force policy in September 2006.

**In care:**

18. In November 2005, DHSSPS issued "Guidance on restraint and seclusion in the Health and Personal Social Services". This document was prepared by the multi-disciplinary Human Rights working group, which comprised both statutory and voluntary sector professionals. Among the principles underpinning the guidance is the statement that staff working with children ensure that their practice is consistent with the UNCRC.

**4.3 ACCESS TO APPROPRIATE INFORMATION**

19. Information is available to children and young people from a range of sources across Northern Ireland. NGOs including Voice of Young People in Care (VOYPIC), Children's Law Centre, the Northern Ireland Youth Forum and Youthnet host dedicated web-sites for young people.
20. The Commissioner for Children and Young People for Northern Ireland's (NICCY's) web-site had an average of 6,000 unique visitors every month in its first year.
21. The Northern Ireland Office (NIO) has funded a child focussed and child friendly website ([www.littlebookofstuff.org](http://www.littlebookofstuff.org)) to provide all children within Northern Ireland with easy access to a wide range of information and in particular to signpost children to the many services available to them and places to go if they are worried or in trouble by building on an earlier initiative (Little Book of Stuff produced by the North and West Belfast Health Action Zone). It will pay particular attention to child protection and mental health issues. The content itself has been tested on young people to ensure that it is attractive to them, user friendly and meets their needs. The Website went live at the beginning of January 2007.
20. The Northern Ireland Court Service Education Online supports their education programme for children and young people. The on-line resource at [www.courtsni.gov.uk](http://www.courtsni.gov.uk) is designed to improve understanding of the role of the courts, the court process and to support the teaching of the citizenship model in schools. The online resources provide teachers, Key Stage 3 pupils and primary school children with a simple guide to how criminal courts work.
21. **Libraries** are an essential source of information for children and young people. Children and young people are at the very core of the business of the public library service, which provides a modern and dynamic service which supports them throughout their lives. The Young Person's Behaviour and Attitude Survey (2003) found that 53% of children and young people used libraries at least once a year.
22. The public and schools library service enhance children's literacy skills, provide centres for information (electronic and paper based) and cultural opportunities for children as well as supporting their lifelong learning and personal development. Public libraries stimulate child development and creative self-expression.
23. Libraries are working hard to develop and refine the services that are on offer to all young people. To be relevant and accessible to all children, librarians have had to cross professional boundaries and work together with other professionals such as speech therapists, health visitors and teachers. Hydebank Wood Young Offenders Centre and Prison is aware of the specific needs of children and has 'easy reads', audio books and

children's classics. In addition the Book and Tape Club encourages parents (mostly young fathers) to read a story to their child.

24. The public library service work with many partners to support their work with children. For example their work on 'Bookstart' (the book gifting project for children) began in the late 1990s and depends on a close working relationship with Health Trusts.
25. Libraries are also involved in a range of other children's projects such as the Summer Reading Challenge, Developing Early Learning and Thinking Abilities (DELTA) and Sure Start programmes as well as storytelling and rhythm and rhyme sessions. Library staff are actively involved in training early years workers in how to use books with young children as well as training them in storytelling. Work with 'Looked After' children is also being piloted while homework support and information skills programmes are offered in a range of locations.
26. The policy framework document 'Delivering Tomorrow's Libraries', was launched in July 2006 and asked public library services to target its services at young adults and children (and in particular children who need school or homework support). This focus of attention by the library service will be monitored in accompanying Public Library Standards where children's satisfaction with the library service and staff will be monitored.
27. On 14 June, the Junior Ministers in the Office of the First Minister and Deputy First Minister (OFMDFM) launched a children's version of the 10 year strategy. It is targeted at the under 11 age group and is in the form of a comic. It can be viewed at [www.allchildrenni.gov.uk](http://www.allchildrenni.gov.uk). A young people's version is currently being developed and will be for those up to the age of 18.

**Data section (please refer to page 77 - 78)**

## 5. FAMILY ENVIRONMENT AND ALTERNATIVE CARE

### 5.1 CHILD PROTECTION

#### Legislation, regulation and policy

1. A **Child Death Review** Protocol has been developed for use by professionals who deal with child deaths. The Protocol outlines the responsibilities of statutory agencies and professional staff when dealing with the sudden or unexpected death of a child. It takes account of best practice and recommended procedures arising from the most recent policy and research developments within this area of expertise. The Protocol was drafted by a multidisciplinary regional working group and a period of widespread consultation has ended. It is anticipated that the final document will be published in late 2007.
2. When a child known to Social Services dies or is seriously injured the chair of the relevant Area Child Protection Committee will consider the need for a Case Management Review of the case. This process brings together all agencies who had been involved with the child and a report and findings are compiled along with recommendations for future improved learning. The Department of Health, Social Services and Public Safety (DHSSPS) has issued child protection guidance setting out the timescales and process to be followed in deciding when such a review should be carried out. This guidance has been disseminated to a wide range of organisations and professionals.
3. Alleged and suspected cases of child abuse in Northern Ireland are **investigated** under the Protocol for Joint Investigation by Social Workers and Police Officers. All Police Service of Northern Ireland (PSNI) officers receive Child Abuse and Rape Enquiry (CARE) training. The PSNI's CARE Units are made up of plain-clothes detectives who receive specialist training on child abuse and rape trauma syndrome and who investigate all alleged and suspected cases of child abuse. The CARE suites provide a non-threatening environment for the interview of children, comfortable interview rooms for victims of sexual offences and well equipped medical facilities where forensic medical officers can carry out examinations.
4. More specifically within the Northern Ireland Office (NIO), a comprehensive review of child protection procedures has identified training needs for staff across the **Youth Justice Agency** which have been addressed. The Northern Ireland Prison Service (NIPS) has also comprehensively reviewed its child protection procedures and has issued its revised policy for public consultation. In addition both the Youth Justice Agency and the NIPS use the joint social services/police protocol for the investigation of child abuse and work in conjunction with other statutory and voluntary bodies as part of the Area Child Protection Committees (ACPCs).
5. The **Protection of Children and Vulnerable Adults (Northern Ireland) Order (2003)** (POCVA) became law in February 2003 and all articles (except Article 46 which commenced on 30 July 2007) were commenced with effect from 1 April 2005. The Order strengthens safeguards for children and vulnerable adults by preventing unsuitable people working with them in paid or voluntary positions. POCVA requires that DHSSPS maintains lists of individuals who are considered unsuitable to work (in a paid or unpaid capacity) with children and/or vulnerable adults.
6. With effect from 1 April 2005, organisations are required to refer individuals to DHSSPS for consideration of inclusion on Disqualification Lists. If someone is listed, this will mean that the individual will be disqualified from working with children and/or vulnerable adults. If

such a person applies for, offers to do, accepts or does any work, either paid or unpaid, in a childcare position, they will be committing an offence. Anyone who knowingly offers, employs, or procures work for a disqualified person in a childcare position or fails to remove a disqualified person from a childcare position will also be committing an offence.

7. POCVA also introduced Disqualification Orders, which may be issued by a court when an individual has been convicted of an offence against a child and a qualifying sentence has been imposed in respect of that conviction. Individuals who have been placed on the DHSSPS Disqualification Lists (or a list of those considered unsuitable to work in schools, List of Unsuitable Persons, held by the Department of Education) have the right of appeal to an independent tribunal.
8. Before offering an individual a childcare position, childcare organisations must, and other organisations may, check whether the individual has been disqualified from working with children. If they have been disqualified, the organisation must not offer the individual work in a childcare position. Childcare organisations are typically: a children's hospital, children's home etc. Non childcare organisations may also have individuals working in a childcare position, for example, a sports or youth club. DHSSPS strongly recommends that non-childcare organisations proposing to offer work in childcare positions carry out a vetting check.
9. In Autumn 2008, Northern Ireland will become part of a UK wide vetting and barring scheme. Existing POCVA legislation will be revoked and replaced with the Safeguarding Vulnerable Groups Act 2006 and the Safeguarding Vulnerable Groups (NI) Order 2007. One of the aims of this new vetting and barring scheme is to extend the requirement to vet to a much wider children and vulnerable adults workforce.
10. In Northern Ireland, a **Child Protection Register** must be maintained by each Health and Social Care Trust providing a community service, listing every child in the Trust's area who has been abused or who is considered to be at risk of abuse, and who is currently the subject of a child protection plan. The categories of abuse for registration are:
  - **Neglect** – The actual or likely persistent or severe neglect of a child, or the failure to protect a child from exposure to any kind of danger, including cold or starvation, or persistent failure to carry out important aspects of care, resulting in significant impairment of the child's health or development, including non-organic failure to thrive;
  - **Physical abuse** – Actual or likely deliberate physical injury to a child, or wilful or neglectful failure to prevent physical injury or suffering to a child including deliberate poisoning, suffocation or Munchausen syndrome by proxy;
  - **Sexual abuse** – Actual or likely sexual exploitation of a child or adolescent. The child may be dependent and/or developmentally immature; or
  - **Emotional abuse** – Actual or likely persistent or severe emotional ill-treatment or rejection resulting in severe adverse effects on the emotional, physical and/or behavioural development of a child. All abuse involves some emotional ill-treatment. This category should be used where it is the main or only form of abuse.
11. Currently, when a child dies and abuse or neglect are known or suspected to be a factor in the death, Health and Social Care Trusts will take steps to ensure that all other children who may be at risk are safeguarded. The case may also be referred to the Chair of the

relevant Area Child Protection Committee (ACPC) who will consider if a Case Management Review (CMR) should be carried out. The CMR process is designed to establish the facts of the case, whether lessons can be learned and to improve inter-agency working.

12. A multi-disciplinary, interagency **inspection team** was established with representation drawn from the various professional disciplines within DHSSPS, the Police Service of Northern Ireland and the Education and Training Inspectorate of the Department of Education. A Lay Assessor was also appointed to the inspection team. Representatives from the office of the Commissioner for Children and Young People for Northern Ireland and the Regulation and Quality Improvement Authority were also involved in the latter part of the inspection.
13. The inspection found examples of good practice undertaken by highly motivated staff. However the inspection also found evidence of serious failings. In a number of areas there were fundamental flaws in child protection arrangements resulting, in some instances, in a failure on the part of organisations to adequately discharge their statutory responsibilities to protect vulnerable children and young people.
14. The overview report published in December 2006, its recommendations and the associated draft child protection standards it contains provide a clear and coherent framework for the future provision of robust, high quality child protection services. They also provide the basis for self-audit by providers of services. The findings of the inspection and the implementation of the recommendations will:
  - Improve arrangements for safeguarding children and young people;
  - Increase public awareness in this important area;
  - Enhance professional practice, multi-disciplinary and interagency working and service provision; and
  - Inform policy development with regard to safeguarding children and young people.
15. DHSSPS has initiated a fundamental reform of child protection services, including; the introduction of robust governance and performance management arrangements; the development of a single assessment framework for children's services; development of agreed regional thresholds for access to children's services; the strengthening of community child protection teams; and the establishment of an independently chaired Safeguarding Board for Northern Ireland which will have an enhanced role in child protection matters. Other recommendations contained in the report are currently being implemented by Departments, Boards and Trusts.
16. DHSSPS issued proposals for consultation, which ended in February 2007, aimed at improving existing safeguarding arrangements within Northern Ireland by replacing the existing non-statutory Area Child Protection Committees (ACPCs) in each Health and Social Services Board area with a regional statutory **Safeguarding Board for Northern Ireland (SBNI)**.
17. The SBNI will give a sharper focus to the current safeguarding remit of ACPCs and will strengthen current arrangements by ensuring better co-ordination and accountability and a more co-ordinated focus on the safeguarding of children. It is anticipated that the new Board will have an independent Chair and membership will be drawn from relevant

organisations such as HSS Trusts, District Councils, Youth Justice, NSPCC, the Judiciary and other relevant organisations.

18. The SBNI will adopt a consistent approach to safeguarding practice in and between all the key organisations. The Board will also have a responsibility to forge effective links with bodies outside Northern Ireland that impact on the lives and well being of children here. A small focused working group has been established to take forward the main issues surrounding the establishment of the Board and the group is meeting regularly to progress this area of work.
19. All children within and outside of the care system are subject to the safeguards and protection offered by the Children Order and other primary and secondary legislation. HSS Boards and Trusts are required by statute to satisfy themselves that the welfare of children who are **privately fostered** within their areas are being satisfactorily safeguarded and promoted. The legislation places limits on private fostering and specifies requirements for children who are privately fostered to be visited and their circumstances assessed.
20. All **schools** are required by law to have and implement a child protection policy. All schools have a designated teacher for child protection and appropriate training is provided on an ongoing basis for designated teachers. Additional resources have been made available to Education and Library Boards to enable them to undertake child protection training.
21. A programme of training for all designated teachers commenced in 2004 and continued in 2005. Additional resources were made available under the Children and Young People's Funding Package in 2006 to facilitate the increasing number of the training days for this category of teacher.
22. **Sport NI** has reviewed its Protecting Children and Vulnerable Adults in Sport Policy. Sport NI recognises its responsibility to protect young people and vulnerable adults from abuse. The policy is based on the recognition that all young people and vulnerable adults have the right to protection from abuse regardless of age, gender, disability, ethnicity, religious belief, nationality, sexual orientation or dependents.
23. The policy ensures that Sport NI and organisations in receipt of financial awards operate within the relevant legislative framework, and to standards of best practice while encouraging the stimulation and engagement of other organisations in promoting a safe environment for young people and vulnerable adults in sport.
24. Sport NI engages the NSPCC to provide a Child Protection service to sport. This includes Governing Bodies, Community/Voluntary groups and District Authorities delivering sport to children and young people.
25. Sport NI recognises that an important element of the service is to consult young people on an ongoing basis. Sport NI has engaged the NSPCC's Child Protection in Sport Unit to consult with young people on two specific areas :
  - Developing and communicating Codes of Conduct.
  - Developing a resource for sports coaches to communicate safeguarding messages directly to young sports people.

26. After consultation with the NSPCC, Sport NI developed a successful proposal for additional funding for the NSPCC to consult with young people on the development of resources which are based on the needs of young people.
27. Following discussions with the NSPCC, it is Sport NI's belief that this consultation with young people can be best achieved through the Young People's Forum at NICCY.
28. A lesbian, gay, bisexual and transgendered (LGBT) **Child Protection Working Group** has been established by the ShOut Project (funded by the Department of Education). Project staff are facilitating representatives from Challenge for Youth, Gay and Lesbian Youth Northern Ireland (GLYNI), the Rainbow Project, and Youth Action NI to develop good practice guidance on working with LGBT young people.
29. The group has established its own terms of reference and is currently reviewing child protection training and guidance to make it more pertinent to working with LGBT young people. The group hopes to consider issues around minimising the potential for bullying and isolation of young people on the basis of their sexual orientation and/or gender identity, as well as examining issues around gender segregated spaces, defining appropriate behaviour, confidentiality and parental consent, as well as other issues as they arise.
30. The LGBT Child Protection Working Group has also expressed concern regarding the absence of LGBT-specific content within the existing youth work curriculum and aims to address this over the next year.
31. In relation to **victims**, the Northern Ireland Office (NIO) provides funding to Victim Support Northern Ireland to provide information, help and emotional support to all victims of crime, which includes children. The NIO also funds the NSPCC Young Witness Service which provides support and information to young prosecution witnesses (under 18 years old) required to give evidence in criminal trials. This service works in partnership with other agencies to meet the needs of young witnesses.
32. Protective and supportive measures are also provided for vulnerable and intimidated victims and witnesses, which includes children, in criminal proceedings. The main purpose in providing 'special measures', as they are commonly known, is to ensure that a witness is supported in being able to give their best evidence possible at court. If a witness is considered eligible for one or more of the measures, an application will be made to the court by the Prosecutor in the case, and this is normally carried out in advance of the trial itself. Special measures include:
  - Screening the witness from the accused – screens may be made available to prevent the witness from seeing the defendant and the defendant from seeing the witness;
  - Evidence by live link – which will enable the witness to give evidence during the trial from outside the courtroom through a televised link – we are also considering the piloting of remote live link, which will allow the witness to give evidence from outside of the court building;
  - Evidence given in private – exclusion from the court of members of the public and the press will be considered in cases involving sexual offences or intimidation;
  - Removal of wigs and gowns – by judges and barristers to lessen the anxiety of the victim or witness. This is common practice in the Youth Court;

- Video recorded evidence in chief – a video recorded interview (or oral statement) is made with the vulnerable witness before the trial which is admitted by the court as the witness' evidence in chief (as opposed to a written statement). Cross examination of video recorded evidence is usually carried out by way of live link; and
  - Aids to communication - allows the witness to give evidence through a communicator or interpreter, or through a communication aid or technique, provided that the communication can be independently verified and understood by the court.
33. The Youth Justice Agency's youth conferencing process has provided offenders and victims with the opportunity to play an active part in addressing crime and antisocial behaviour by children. In addition the introduction of two new orders - reparation orders and community responsibility orders, based on restorative principles further supports the inclusion of victims and community representatives in the process of repairing the harm caused by offending behaviour.

### Action to address abuse

34. A number of significant pieces of work are being undertaken to address the issues of abuse and neglect. They all form part of the 10 year strategy for children and young people in Northern Ireland, and relate to the outcomes around keeping children safe and living with stability:
- A summary of responses to a public consultation on the **review of sexual offences legislation** was published by the Government on 25 June 2007. It is planned that draft legislation will be published later in 2007 and become law in 2008. This will strengthen and modernise the framework of sexual offences, particularly with regard to offences against children;
  - This will be supported by the **strengthening of current sex offender assessment and risk management arrangements**, by placing them on a statutory basis, and the extension of arrangements to include violent offenders;
  - Legislative change will **strengthen the protections available for all victims of domestic violence and abuse**. In addition, the development of a range of initiatives to tackle violence in the home is being led by a regional steering group for domestic violence; and
  - The **establishment of new disclosure arrangements** for Northern Ireland, under Part V of the Police Act 1997, will deliver wider and more comprehensive criminal and police record checks for those working with the vulnerable.

## 5.2 SUPPORT FOR PARENTS

35. The Department for Health, Social Services and Public Safety (DHSSPS) provides a wide range of services and programmes aimed at providing assistance to parents and legal guardians in fulfilling their responsibilities through funding for statutory and voluntary and community groups. For example, Parents' Advice Centre; Gingerbread; Children in

Northern Ireland; NSPCC; Area Child Protection Committees; and Children's Services Planning. Since November 2006 DE now funds the Childcare Partnerships and Sure Start.

36. DHSSPS, in conjunction with the four Health and Social Services Board Area Child Protection Committees, has produced a **Safe Parenting Handbook**. The aim of the Handbook is to provide a one source, easy to read document, which contains advice for parents in Northern Ireland about keeping their children safe. The Handbook covers a wide range of topics, including bullying, childminding, healthy eating, positive parenting, and 'don't shake the baby' and is designed to assist new and existing parents of children ranging from babies to teenagers. The Handbook has been distributed to parents via their health visitor or social worker and via Sure Start.
37. In April 2006, DHSSPS introduced a 'Home Childcarer' scheme. This is a new form of registered childcare introduced by the government to allow parents to have approved childcare in their own home and claim tax credits against the cost. Responsibility for this scheme has since transferred to DE.
38. Until now, approved childcare services have been geared to the conventional working week. From April 2006, the introduction of the Home Childcarer Approval Scheme has provided flexibility for parents who work outside traditional, Monday to Friday, nine to five hours, or those with disabled children to access registered childcare or to receive financial assistance with childcare costs as part of the Working Families Tax credit or the Disabled Persons Tax Credit.
39. DHSSPS's family and parenting strategy "*Families Matter*" will also enhance the services available to parents in assisting with parental responsibility through the provision of positive parenting and parenting education; provision of mediation services; development and expansion of Child Contact Centres; improvement of access to information by the development of a regional database and the provision of a regional help line.
40. Government's commitment to supporting parents and families is reflected in the recent announcement of additional funding under the Children and Young People's Funding Package for a number of measures.

### 5.3 PARENTAL RESPONSIBILITY

41. The Children (Northern Ireland) Order (1995) (as amended by the Family Law Act (Northern Ireland) (2001)) provides as follows –
  - if a child's father and mother were married to each other at the time of his or her birth, they will each have parental responsibility for the child;
  - if a child's father and mother were not married to each other at the time of his or her birth;
    - the mother will have parental responsibility for the child;
    - the father may acquire parental responsibility if –
      - (a) he and the mother have jointly registered the child's birth;

(b) he and the child's mother enter into an agreement which provides for him to have parental responsibility for the child; or

(c) the court, on his application, orders that he shall have parental responsibility for the child.

42. A step-parent may acquire parental responsibility for his or her spouse's child by order of court.
43. A court may, by order, remove the parental responsibility conferred on an unmarried father or step-parent.
44. In any court-based decision regarding parental responsibility, the welfare of the child will be the paramount consideration.
45. The Children (Northern Ireland) Order (1995) contains a number of provisions which are designed to ensure that the wishes and feelings of the child are taken into account when decisions are being made about his or her future. Rule 6.6 of the Family Proceedings Rules (Northern Ireland) (1996) allows for the separate representation of children in certain family proceedings, where it appears to the court that this ought to be the case. The arrangements with regard to the representation of children are currently being reviewed.

#### 5.4 ADOPTION

46. It is widely accepted that **adoption** needs a stronger focus in terms of ensuring permanency of care for looked after children and addressing the long term implications of adoption for children and families affected by its processes. Changes to the Adoption (Northern Ireland) Order (1987) (the Adoption Order) are required to reflect these emerging needs and to ensure that where adoption is the plan, the court will deal with each child's case in a rigorous but expeditious manner. Since the present law and procedures were settled, there have been changes in the number and profile of children for whom adoption is considered to be in their best interests as well as wider child care law and practice. Furthermore, society's attitude towards what constitutes a family and 'family life' has also changed considerably in the last twenty years.
47. DHSSPS is developing proposals for new adoption legislation and in doing so, will consider:
  - The findings of the Social Services Inspectorate Report (SSI) 'Adopting Best Care' published in May 2002;
  - Widespread perception of court delays, and findings published in the SSI report 'Review of the Freeing Order Processes in Northern Ireland 2003';
  - A recognised need to align adoption legislation with the principles in the Children (Northern Ireland) Order (1995);
  - Changes in adoption law, and amendments to the Children Act in England and Wales, though the implementation of Adoption and Children Act 2002;

- A recognised need to keep pace with provisions in related legislation in a wider UK and international context such as The Human Rights Act 1998, the UNCRC, The Children Act 2004 and the Civil Partnership Act 2004;
  - Developments in social work practice following The Lewis Review in Northern Ireland and the Laming Enquiry and Bichard Reports in England;
  - Changes in societal attitudes and the needs of children and families involved in the adoptive process;
  - Responses to the adoption questionnaire issued by DHSSPS in August 2004;
  - Discussions held during stakeholder engagement workshops in February 2005; and
  - Responses received to the 'Adopting the Future' consultation.
48. DHSSPS issued a questionnaire on changes required to the existing legislation and held a series of four one-day workshops on specific themes based on the changes introduced through the Adoption & Children Act 2002 in England and Wales.
49. Following this consultation, DHSSPS unveiled a strategy in July 2006 for a proposed new approach to adoption in Northern Ireland, which seeks to put children's needs at the heart of the process. The strategy, "Adopting the Future" sets out proposals for the changes needed to improve adoption services and was issued for public consultation. The implications of implementation of the strategy are now being considered.
50. Although there are many children in Northern Ireland who are looking for an adoptive family, there are also many children overseas for whom intercountry adoption may be their only opportunity to belong to a permanent family. For humanitarian reasons the government allows **intercountry adoption** to proceed where:
- The child cannot be cared for in any suitable manner in his/her own country;
  - The adoption would be in the best interests of the child and with respect to the child's fundamental rights as recognized in international law; and
  - The adopter has been assessed as eligible and suitable to adopt from overseas by an adoption agency.

## 5.5 LEAVING CARE

51. The Children (Leaving Care) Act (Northern Ireland) 2000 provides a new legal framework for leaving and after care services. Its main purpose is to improve the life prospects of young people who are looked after by Health and Social Care Trusts (HSCTs) as they make the transition to independent living. To achieve this, the Act amends the Children (Northern Ireland) Order 1995 to place new and enhanced duties on HSCTs to support young people leaving care.
52. The main aims are to prevent premature discharges from care, improve preparation, planning and consistency of support for young people, and to strengthen arrangements for financial assistance. At its heart are new duties to assess and meet young people's individual needs, provide personal advisers and develop pathway planning for young

people up to the age of 21 (or beyond if continuing in education).

53. The need for comprehensive assessments and pathway planning should help to bring a sharper focus to the leaving care stage. Whether or not they continue to be looked after by social services, every young person will have an assessment, a personal adviser and a pathway plan as soon as practicable after they reach the age of 16.
54. Pathway planning should identify immediate needs and look forward to longer-term future care needs. The pathway plan will need to be continuously monitored, reviewed and adjusted in light of experience. The role of the personal adviser will be pivotal in helping to construct and implement the pathway plan, in providing continuity of support for the young person through his or her transition to independence and adulthood and identifying the resources and services required to meet his or her needs. The Regulations and accompanying Guidance specify the functions of personal advisers and the core areas that must be addressed in pathway plans.
55. The Regulations support the provisions of the Children (Leaving Care) Act (Northern Ireland) 2002. They set out in more detail the matters to be taken into account by HSCT's when assessing and meeting the needs of those preparing to leave care and those who have left care. The Regulations cover:
  - the qualifying criteria for the new leaving and after care arrangements;
  - the assessment of need;
  - the preparation and review of pathway plans;
  - the functions of personal advisers; and
  - the assistance young people will receive with education, training and accommodation.
55. The Act and Regulations provide that all young people who are aged 16 or 17 and who have been looked after for at least 13 weeks since the age of 14 will qualify for leaving care services under the new legislative arrangements. Young people who continue to be looked after are known as **eligible children**. Those who leave care after the age of 16, who were previously eligible are known as **relevant children**. Those who leave care after the age of 18, who were previously either eligible or relevant are known as **former relevant children**.
56. Current Northern Ireland legislation relating to Leaving and After Care services for children and young people:
  - The Children (Northern Ireland) Order (1995)
  - The Children (Leaving Care) Act (Northern Ireland) (2002)
  - The Children (Leaving Care) Regulations (Northern Ireland) (2005)).

## 5.6 RESIDENTIAL CARE

57. In recent years, the residential child care sector has seen significant changes in the level and type of provision and this prompted the creation of the Children Matter Task Force in July 2000. The following principles were established by the Task Force and continue to underpin developments in residential child care policy:

- residential care is an integral part of the child welfare system;
- a range of residential provision is required to provide appropriate services for children. Where possible, children should be placed locally, unless the need for specialist services dictates otherwise;
- residential care is a valuable service in its own right, which is a placement of choice for some children;
- placement choice is intrinsically linked to quality of care and the safeguarding of children's wellbeing;
- a statement of purpose and function for each home is essential to the effective operation of homes overall. Each statement of purpose should define the type and method of work undertaken at the home and inform staffing and admission arrangements;
- homes should be small and domestic in nature, not provided on campus sites, or on sites providing for other users;
- social work is the core discipline within the residential sector;
- where other disciplines are recruited this is a part of the home's overall statement of purposes and function, and as a complement to the social work establishment; and
- there should be equality of access to residential child care places for all children.

58. Current Northern Ireland legislation relating to residential care for children and young people:

- The Children (Northern Ireland) Order (1995)
- The Refuges (Children's Homes and Foster Placements) Regulations (Northern Ireland) (1996)
- The Arrangements for Placement of Children (General) Regulations (Northern Ireland) (1996)
- The Review of Children's Cases Regulations (Northern Ireland) (1996)
- Contact with Children Regulations (Northern Ireland) (1996)
- Definition of Independent Visitors (Children) Regulations (Northern Ireland) (1996)
- The Representations Procedure (Children) Regulations (Northern Ireland) (1996)
- The Children's Homes Regulations (Northern Ireland) (2005).

## 5.7 CUSTODY / SECURE ACCOMMODATION

59. There are two custodial institutions for children and young people in Northern Ireland – the **Young Offenders Centre (YOC)** which provides accommodation for young people from 17 to 23 years of age and the **Juvenile Justice Centre (JJC)** which accommodates young people from 10 -16 and a small number of vulnerable 17 year olds. The JJC can accommodate up to 48 children and the YOC up to 35.

60. The JJC has a pool of over 70 care staff and the equivalent in the YOC is 42.

61. The legislative changes (primarily the Criminal Justice (Children)(Northern Ireland) Order (1998)) introduced between 1996 and 1999 raised the threshold for custody and, as a consequence, resulted in a large reduction in the number of children held in custody from 100 to less than 30 and for shorter periods (from an average of 9 months in 1996 to a current average of 4 months). Shorter determinate sentences were introduced ranging from 6 months to 2 years with half of the custodial order to be served under supervision in the community. This sustained reduction in population facilitated the closure by 2003 of the unsuitable accommodation at Lisnevin and the development of a single juvenile justice centre for Northern Ireland.
62. The separation of adults and juveniles in custody is the subject of a State Party reservation and only the UK Government is able to amend or withdraw the reservations to the Convention that it has entered. However, in Northern Ireland, only in very exceptional circumstances are children ever accommodated with adults. Special provision has been made (as recommended by the Criminal Justice Review) for males under 18 years old committed to the Young Offenders Centre at Hydebank Wood to be kept apart from the older young people and courts are now able to send vulnerable 17 year olds to the Juvenile Justice Centre in Bangor where younger children are detained.
63. There is, however, no provision for separating 17 year old girls from adult female prisoners at present. As the numbers of those under 18 are very rarely more than one or at most two, separation would entail isolation. This situation is, however, kept under review.
64. **Lakewood Secure Childrens Unit** provides a regional secure care facility for sixteen young people aged from 13 to 17 years. The building includes training and leisure facilities.
65. Children cannot be placed in secure accommodation unless they meet the criteria set out in legislation i.e. they have a history of absconding and are likely to run away from any other type of accommodation, and if they do so they are likely to injure themselves or others. The agreement of the courts is also required. Similarly, children cannot continue to be kept in secure accommodation once these criteria cease to apply even if a court order is still in force. The relevant HSCT is required to review the child's case within one month of placement within secure accommodation and after that at no longer than three-month intervals.

**Data section (please refer to pages 79 - 87)**

## 6. BASIC HEALTH AND WELFARE

### 6.1 HEALTH POLICY AND STRATEGY

1. Within Northern Ireland there is integrated provision of universal and targeted services for children, young people and families with an emphasis on health promotion, primary prevention and active intervention for children at risk, as recommended by the fourth edition of **Health for All Children** (HALL 4 – published in December 2002).
2. HALL 4 reflects the current evidence base and is in line with recommendations from the National Screening Committee.
3. The aim of HALL 4 is to work with families and communities to achieve optimum child health and is available to all children, young people and their families.
4. Implementation and delivery of the core programme is responsive to individual family, child and local community needs. Additional services are targeted at those who need them, based on assessments made by professionals working with each family.
5. Objectives of the HALL 4 core programme are:
  - To ensure access to, and understanding of, all relevant health care messages. e.g breastfeeding, accident prevention, healthy eating, maternal and family health and wellbeing at all stages, beginning in the pre-natal period;
  - To arrange and deliver immunisations;
  - To carry out agreed screening procedures and ensure follow up of abnormal results;
  - To enable parents to locate the help they need promptly and efficiently;
  - To support the local community in creating an environment at home and at school in which children & young people can be safe, grow & thrive;
  - To identify and support vulnerable children and families; and
  - To ensure those with special educational needs have these identified and referred to appropriate Statutory / Voluntary services.
6. The Northern Ireland Public Health Strategy *Investing for Health*, launched in 2002, sets out in detail government's priorities for improving health and well being and reducing inequalities. Investing for Health aims to improve all our health, but has a particular focus on the most disadvantaged in society. It recognises that a cross-departmental approach is needed to tackle the wider determinants of health such as poverty, education, housing and the environment in which we live, and to support people to adopt healthy lifestyles.
7. Investing for Health has established partnership arrangements, such as the cross Government Ministerial Group on Public Health and at local level Investing for Health partnerships, to support and encourage action to improve health by all sections of society.
8. Underpinning Investing for Health, specific strategies and plans have been developed to tackle key health improvement priorities (e.g. Teenage Parenthood and Breastfeeding) and

supporting children and young people to protect and improve their health and well-being is a priority for many of these plans.

9. Antenatal and newborn screening programmes include screening for foetal anomaly and infectious diseases. Screening for hearing defects are carried out within one month of birth, with around 25-30 children with hearing loss being identified each year. Newborns are screened at less than 72 hours and again between 6-8 weeks of life for vision defects, hip, heart and testes problems. Newborn blood spot screening is also carried out to identify babies who may have rare but serious conditions. Early treatment can reduce infant deaths and prevent severe disability, for example, cystic fibrosis.
10. 'The Pregnancy Book' is given to all first time mothers, it is a guide to a healthy pregnancy, labour and giving birth and the first few weeks with a new baby. The 'Birth to 5' book is also given to first time mothers. Antenatal infection screening leaflets and information leaflets on the newborn hearing screening programme are produced regionally for all pregnant women/new mothers. Regional breastfeeding leaflets and cot death leaflets are also produced. In addition, other patient information leaflets are produced by Health Boards and Trusts.
11. Research indicates that mothers who **breastfeed** are helping to reduce their risk of developing pre-menopausal breast and ovarian cancer, osteoporosis and type 2 diabetes. While for babies, research shows that breastfeeding brings health benefits including a reduction in certain illnesses, such as chest, urinary and ear infections and they are less likely to develop juvenile obesity and diabetes in childhood. The World Health Organisation (WHO) recommends women breastfeed exclusively until six months with continued breastfeeding up to two years of age.
12. At present only 10% of mothers in Northern Ireland are still feeding their babies at six months in comparison to Scandinavian countries where the breastfeeding rate is closer to 80% at this stage.
13. However, since the development and implementation of the Breastfeeding Strategy for Northern Ireland and the appointment of a Breastfeeding Co-ordinator, there have been significant improvements to breastfeeding support in many hospital and community Trusts. The implementation of the UNICEF UK Baby Friendly Initiative, Sure Start programmes involvement in breastfeeding, training in breastfeeding management along with the establishment of breastfeeding support groups and peer support programmes have all contributed to increase breastfeeding rates. Breastfeeding rates on discharge from hospital have increased from 54% in 2000 to 63% in 2005.
14. The **Teenage Pregnancy Strategy** in Northern Ireland comprises a number of actions grouped under the following areas: policy development, information and education, parent/child communication, improving services and training, providing support and research. The actions required measures by Departments and their agencies, working in partnership with the voluntary and community sectors. They included the publication of local directories of resources, further development of community based teenage personal development programmes, courses on parent/child communication and training for staff working with young people. The work is being co-ordinated by a multi-agency Implementation Group. The Strategy also contains a target to reduce the rate of births to teenage mothers under 17years by 40% by the end of 2007. Considerable progress has been made towards achieving this target. Latest figures (2003 - 2005) show a reduction to

3.1 births per 1,000 girls under years from 2002 position of 4.1 births per 1,000 girls under 17 years.

15. The **Fit Futures** taskforce was set up by the Ministerial Group on Public Health (MGPH) in 2004 to consider and evaluate options for tackling overweight and obesity in children and young people.
16. Following extensive consultation the report of the Fit Futures taskforce has now been presented to MGPH and is under consideration. The Fit Futures Implementation Plan will be published later this year.
17. A **smoking ban** was introduced in all public places and workplaces on 30 April 2007. In addition, the Assembly will shortly be invited to consider raising the age to purchase tobacco from 16 to 18 years of age.

## 6.2 ADOLESCENT MENTAL HEALTH

18. An Independent Review (the Bamford Review) of Mental Health and Learning Disability was established by the Department of Health, Social Services and Public Safety (DHSSPS) in 2002 and included a review of Child and Adolescent Mental Health Services (CAMHS). The review's CAMHS report (A Vision of a Comprehensive Child) was published in July 2006 and sets out the vision for development across all 4 tiers of services from early intervention to specialist inpatient treatment and makes a wide range of recommendations which will impact on health, social services, education and youth justice. A cross-Departmental response will be made to the Bamford review as a whole and work is in hand to develop this. The reforms being proposed by the Bamford review for CAMHS are likely to take at least 10 years to achieve, but some action is under way. Current work is focussing on:
  - Plans to develop a new 18 bed adolescent mental health inpatient unit which is due for completion in 2008/2009. This will replace the existing facilities and will possibly be linked with a new build of the children's psychiatric inpatient unit.
  - Investment in community based services including Crisis Intervention Services funded through the Children and Young People's Funding Package. CAMHS provision will be enhanced through appropriate timely clinical intervention for young people which should prevent problems developing into more serious conditions and, where possible, prevent avoidable admissions.
19. The **Promoting Mental Health Strategy and Action Plan**, published by DHSSPS in January 2003, contains 30 actions which are designed to improve people's mental and emotional wellbeing, and prevent or reduce the incidence of mental and emotional distress, anxiety, mental illness and suicide. Settings in which these actions are being taken forward include the home, school, community and workplace. The strategy contains specific actions on the promotion of mental and emotional health of children and young people, the development of anti-bullying approaches for use in schools, raising awareness and understanding of mental health issues and reducing the stigma attached to mental health problems.
20. Following growing concerns about an increase in the number of suicides, particularly among young people, a Taskforce was established in July 2005 to develop a separate

**Suicide Prevention Strategy for Northern Ireland.** Following an extensive engagement and consultation process the final Strategy, "Protect Life – A Shared Vision", was published on 30 October 2006.

21. The Strategy aims to tackle the issue throughout the general population, but also contains actions aimed at those individuals and communities at most risk, particularly young males. Funding of £1.9 million was secured for the implementation of the Strategy in financial year 2006/07, and a total of £3 million has been identified for 2007/08 onwards. The Strategy identifies the need to promote the development of policies which enhance the positive mental health and well-being of children and young people, and which protects them from bullying. Local plans containing actions to reduce suicidal behaviour, including actions helping individuals to improve self-esteem and cope with stress, have been developed in each Health and Social Services Board area.
22. In addition, from January 2007 all grant-aided post primary school pupils have access to **counselling support** which is independent of the school. Under the Children and Young People Funding Package some £1.8 million per annum has been made available to establish this service. Schools' staff will be able to make referrals and pupils will be able to self-refer. All counsellors must have recognised qualifications and appropriate professional supervision.
23. Following a Review of eating disorder services, the DHSSPS has now established a Regional Eating Disorders Service. Based at the Belfast Health and Social Care Trust this consists of a central team which deals with the management of complex cases and specialised medical and dietetics support from all four Boards and four community based teams for each Health and Social Services Board area. The longer term aim is to provide a specialist inpatient eating disorder unit in Northern Ireland with re-feeding beds and psychiatric facilities.

### 6.3 POVERTY

24. Lifetime Opportunities, government's **Anti-Poverty and Social Inclusion Strategy**, was launched on 13<sup>th</sup> November 2006. The launch of this strategy followed a commitment by the previous Executive to review the New Targeting Social Need Policy which has been government's high level policy aimed at tackling poverty and social exclusion in Northern Ireland since 1998.
25. The new strategy retains:
  - the key principle of New Targeting Social Need which is to target resources and effort within programmes at those areas, groups and individuals in greatest objective need; and
  - 'Promoting Social Inclusion' as an approach to working in partnership with relevant sectors to tackle exclusion of different vulnerable groups such as lone parents.
26. The new strategy's two overall objectives are to:
  - work towards eliminating poverty and social exclusion in Northern Ireland by 2020; and

- End child poverty by 2020-based on the estimate of approximately 130,000 children in Northern Ireland in relative income poverty in 1998/99, this means lifting 65,000 children out of poverty by 2010 on the way to eradication by 2020.
23. Lifetime Opportunities has been developed through extensive consultation, including consultation with children. It defines specific goals and targets for four key stages in life – Early Years (0-4), Children and Young People (5-16), Working Age Adults and Older Citizens.
  24. In relation to Early Years the goal is to ensure that every child should have a chance to develop their full potential in infancy regardless of social background.
  25. In relation to children and young people the goal is to allow all children and young people to experience a happy fulfilling childhood, while equipping them with the education, skills and experience to achieve their potential to be citizens of tomorrow.
  26. Although 'Lifetime Opportunities' and its associated Objectives, Goals and Targets are still to be formally considered by the Northern Ireland Executive Committee, Section 16 of the St Andrews Agreement Act 2006 places a statutory obligation on the Executive Committee to adopt a strategy setting out how it proposes to tackle poverty, social exclusion and patterns of deprivation based on objective need.

#### 6.4 HOMELESSNESS

26. The Department for Social Development (DSD) has been taking the lead role in a cross-departmental, cross-sectoral Working Group set up to consider homelessness (including youth homelessness) in the context of Promoting Social Inclusion.
27. The Working Group's remit was to consider how government departments, agencies and non-departmental public bodies can best work together to ensure that the risk of homelessness is reduced and that the full range of appropriate services is available to homeless people.
28. The Working Group published a draft report for consultation and following consideration of the responses received, detailed Action Plans were prepared. The Strategy was formally approved by the Northern Ireland Executive Committee and in July 2007 Minister Margaret Ritchie MLA officially launched "Including the Homeless" a strategy to promote the social inclusion of homeless people, and those at risk of becoming homeless.
29. The Strategy will provide for legislation covering youth homelessness in Northern Ireland to be brought more closely into line with equivalent legislation in other parts of the United Kingdom. This would mean that:
  - all 16 and 17 year olds who are homeless and do not fall within the remit of social services would have priority need status;
  - 18 to 21 year olds who are homeless and who are "former relevant children" or "persons qualifying for advice and assistance" under the Children (Leaving Care) Act (Northern Ireland) 2002 would have priority need status; and
  - other 18 to 21 year olds who are homeless and who satisfy the Housing Executive that they are at risk of sexual or financial exploitation would have priority need status.

## 6.5 ACTION TARGETED TOWARDS THOSE WHO EXPERIENCE DISCRIMINATION AND DISADVANTAGE

30. A strategy is being developed, aimed at improving the **health and well-being of those with a physical or sensory disability** through increased service provision and access to services and specialist equipment; improved inter-agency working and workforce planning; replication of models of best practice; more support for parents and siblings; and improvements in the transition from child to adult services.
31. The Department of Culture, Arts and Leisure (DCAL) is leading a group, which includes other departments, working in partnership with representatives of the **Deaf community**. The Sign Language Partnership Group is developing ideas for improving access to public services by users of British and Irish Sign Languages (BSL and ISL). This work will help the Deaf community to access services using their first language and will assist them in participating more fully in family, cultural and social life. It will also improve respect, understanding and tolerance of BSL and ISL in line with commitment in The Belfast Agreement. The Sign Language Partnership Group is addressing the scarcity of tutors and interpreters, awareness raising and best practice.
32. British and Irish Sign Languages were recognised as languages in their own right on 29 March 2004. It is estimated that approximately 3,500 people use British Sign Language and a further 1,500 use Irish Sign Language. On behalf of the Partnership Group, DCAL commissioned external consultants to prepare a business case to identify options and costs for enhancing the supply of sign language interpreters and tutors to bring them to acceptable levels. The Partnership Group has also designed an exhibition to raise awareness of both languages and has produced a Best Practice Guidance document for use in the public sector.
33. Proposed key priorities for the **new strategic direction for alcohol and drugs** will include: developing treatment and support services for young people under the age of 18 in respect of alcohol and drugs; particular focus on the needs of those children and young people deemed vulnerable and/or at risk; addressing underage drinking; and ensuring education and prevention work follows models and principles of good practice.
34. The development of a **neighbourhood renewal strategy**, the aim of which is to tackle the complex multi-dimensional nature of deprivation using a long-term, programme-based approach, will consider the needs of approximately 86,900 children and young people living in targeted disadvantaged areas. Working in partnership, government aims to improve sustainable economic activity and produce better social conditions through the provision of improved public services and both attractive and safe living conditions in these areas. Likewise, the Department of Agriculture and Rural Development's (DARD's) Rural Development Programme 2007-13 will fund initiatives and projects to enhance the well-being of children and young people in rural areas.
35. Following a number of policy initiatives and reviews it was decided that responsibility for all **Traveller accommodation** and sites should rest with the Northern Ireland Housing Executive and the Housing (Northern Ireland) Order 2003 included the relevant provisions to cater for this and the physical transfer of the Council owned sites which were in operation at that time. Since then, the Housing Executive has completed an extensive Traveller accommodation needs assessment to help prioritise the delivery of future Traveller accommodation schemes and the refurbishment and management of the sites which it inherited from the Councils.

36. Four initial group housing schemes for the travelling community have or are being funded via the social housing programme. Two of these, totalling 13 new homes are now complete - one at Tattykeel in Omagh (£649,000), and one at Hillhead Road in Magherafelt (£623,000). The third scheme at Glen Road Belfast, with 16 new homes, has to be undertaken in phases. The first phase of 6 new homes is complete (£1.2m). The fourth scheme, at Monagh Road Belfast, with a total of 22 new homes, will be built in 3 phases (£4.9m) starting on site in 2007/08. A further 4 Traveller Group Housing schemes totalling 40 units that have been programmed to 2009/10.
37. The multi agency Steering Group established by the Housing Executive in December 2004 identified a need for 5 transit sites located at Strabane, Derry, Belfast, Craigavon and Newry. A permanent 8 pitch Transit site at Greenbrae, Strabane is now complete. Work has started at a new 8-11 pitch Transit site at Ballyarnet Park, Derry but in the interim an Emergency Halting site containing 6 pitches is currently available on a portion of the Daisyfield Serviced site. A permanent location for a Transit site in the Belfast area has not yet been found. In the meantime an Emergency Halting site has been developed adjacent to the Serviced site at Glen Road Heights. This site provides 6 pitches and facilities include water, refuse disposal and portable toilets.
38. Support for **lesbian, gay, bisexual and transgendered** (LGBT) young people is delivered through Department of Education funding of the ShOut project. The project aims to develop a coordinated strategy to address the identified needs of young LGBT people in Northern Ireland through:
- policy and information development;
  - support and training to address the needs of LGBT young people;
  - extending the capacity of existing organisations working with LGBT young people to enhance services; and
  - developing existing website initiatives.
39. The Northern Ireland Housing Executive (NIHE) Supporting People initiative aims to commission **housing support services** that will improve the quality of life and independence of vulnerable people. **Vulnerable young adults** (18-21) receive support across many client groups. Integrated accommodation and support services are aimed primarily at helping these young people to live within safe, suitable and supported environments where they will be enabled to develop appropriate social and life skills which will help them mature and grow into active citizens in their own right.
40. There are some 27 such accommodation-based schemes, which provide varying degrees of support with a capacity of 128 units across Northern Ireland. These schemes attracted a maximum funding of £2.6 million in 2006/07.
41. Some young people present with high support / complex needs and therefore require more intense, hands on, direct support on a daily basis. An example of such a project is Belfast Central Mission Thomas St scheme in Dungannon where there are 6 part time staff working a total of 118 hours per week providing a high level of support to 4 vulnerable young people.

42. There are 16 Floating Support schemes across Northern Ireland, which currently provide a service to over 400 young people. These services attracted funding of approx £1.8 million in 2006/07. The aim of floating support services is to help the young person to develop networks, access training, education and employment, achieve stability, sustain and maintain the tenancy and learn to live within a neighbourhood / community.
43. For example, the Mulholland Aftercare Floating Support Service was commissioned by Supporting People to develop floating support services in Downpatrick and Poleglass (Belfast) for young vulnerable people in October 2005. The scheme has the capacity to work with approximately 60 young people and currently provides support to 55 young people.

**Data section (please refer to pages 87 - 92)**

## 7. EDUCATION, LEISURE AND CULTURAL ACTIVITIES

### 7.1 EDUCATION POLICY

1. The **Education (Northern Ireland) Order 2006** took effect on 1 August 2006 and includes provision for a revised Northern Ireland **curriculum**. The revised curriculum aims to better prepare young people for life and work through a greater emphasis on developing skills and a new area of Learning for Life and Work. Its objectives are to develop young people as individuals and as contributors to society, the economy and environment. The revised curriculum will be introduced into schools on a phased basis from September 2007 to 2010 but some elements are already being piloted in schools and a support programme for schools is already underway.
2. The revised curriculum includes **Citizenship education**, which will equip all pupils with the knowledge and skills they need to participate fully in society. They will have opportunities to use local and global examples to investigate topics such as diversity, inclusion, cultural heritage, equality, democracy, participation and human rights, for example the key principles outlined in instruments such as the UNCRC and the European Convention on Human Rights (ECHR) and situations where human rights have been infringed.
3. The revised curriculum also includes a new strand of **Personal Development**. This will provide opportunities for young people to explore and develop issues such as personal health, both physical and emotional, personal safety (e.g. develop coping strategies to respond to abuse) and relationships, including sex education.
4. The revised curriculum will be less prescriptive and, while ensuring that every pupil receives a sound general education, will provide greater flexibility for schools to design a curriculum that is tailored to best suit the needs of their pupils. This more pupil-centred approach will also be reflected in the revised assessment arrangements. There will be annual **assessment** of pupils, with the results discussed with and reported to parents in the new Pupil Profile. The Pupil Profile replaces the annual report and will provide parents with better information on their child's achievements, progress, interests, aptitudes and areas for development.
5. The **Entitlement Framework** will complement greater curricular flexibility. This will be a new requirement on schools to provide every pupil, regardless of their background, school or where they live, with access to a minimum of 24 courses at Key Stage 4 and 27 courses at post 16. At least one third of courses will have to be vocational and at least one third academic, with the mix of the remainder and the exact courses left for schools to determine. It will then be up to pupils to decide which courses they will follow, as suits their interests, aptitudes and future career plans. This greater choice, and the greater provision of vocational courses, should help to increase motivation, participation and provide young people with the skills they need for future employment.
6. Schools may have to work with and collaborate with other schools and further education colleges to provide this greater range of courses. To give schools time to prepare and adapt, the Entitlement Framework will not take statutory effect until September 2009 but models of collaboration are already being piloted through the **Vocational Enhancement Programme (VEP)**, where schools and colleges are already collaborating to provide vocational courses to groups of pupils. VEP is now in its third year and both the Department of Education (DE) and Department for Employment and Learning (DEL) have allocated a combined total of £7.9 million in the 2006/07. VEP is being evaluated to

provide feedback to inform work on implementing the Entitlement Framework.

7. The 2006 Education Order requires **new admission arrangements** to be put in place for pupils transferring to post-primary schools in September 2010. It also deferred the provisions abolishing **selection** and made them subject to a resolution of the Northern Ireland Assembly. The current method for transfer arrangements, the 11+ test, will operate for the last time in 2008.
8. All grant-aided schools are required to provide collective worship and **Religious Education (RE)** in accordance with the core syllabus specified by DE. Legislation provides that the Department can only specify a core syllabus that has been prepared and agreed by a specially appointed drafting group, comprised of the four main churches (Roman Catholic, Church of Ireland, Presbyterian and Methodist). Schools are free to build upon the core syllabus in a way that suits the needs of their pupils and the ethos of the school. Parents have the right to withdraw their child from part or all of RE teaching and collective worship.

## 7.2 SPECIAL EDUCATIONAL NEEDS

8. Since 1999 there has been a marked increase in the number of children identified with Special Educational Needs (SEN). Not only have the numbers of children with SEN risen, but the range and complexity of disabilities have increased, both in mainstream and special schools.
9. The proportion of pupils with statements of SEN, as a percentage of the total school population, has increased from 2.5% in 2000 to 3.7% in 2006. There are now almost 12,500 children with statements of SEN, (42% more than in 2000), and approximately 45,000 children, (13% of the total school population), at Stages 1-4 of the Code of Practice The Code of Practice on the Identification and Assessment of Special Educational Needs gives detailed, practical guidance to schools and Education and Library Boards on how to identify, assess and, where appropriate, statement children with special educational needs. It sets out a 5-stage approach of which Stages 1-3 are school-based, although at Stage 3 support is sought from the ELB. At Stage 4 the ELB considers the need for a statutory assessment. The Statement itself is provided at Stage 5.
10. Within these numbers, the proportion of statemented pupils being placed in **mainstream schools** has risen from 28% to 50% over the last five years. If statemented pupils in special units attached to mainstream schools are included, this latter figure becomes 65%.
11. The principle is enshrined in legislation that, subject to certain provisos, young people should be educated in a mainstream setting. The **Special Educational Needs and Disability (Northern Ireland) Order 2005**, (SENDO), has strengthened the right of children with SEN to be educated in mainstream schools where parents want it and the interests of other children can be protected. A total of £57.8 million over three years has been provided to implement SENDO. This important piece of legislation represents a positive step forward in giving children young people and adults with disabilities in Northern Ireland the same rights as their counterparts in England, Scotland and Wales.
12. The current Code of Practice on the Identification and Assessment of Children with SEN (1998) and the Supplement issued in 2005, build upon the legislation and DE has allocated substantial resources to support this provision.

13. The level of funding for special education is determined by the Education and Library Boards (ELBs) as part of their annual decisions about the allocation of their block grant.
14. In 2005/06, the last year for which full outturn figures are available, around £170 million was expended in Northern Ireland for provision for children with special educational needs. Since then an additional £53 million has been allocated, over three years to 2007/08, to help address pressures in this area.
15. Since 1999 a significant number of steps have been taken to improve service provision for children with SEN and their parents. Collaborative working has become the norm with Special Educational Needs being seen as an issue which must be addressed co-operatively. DE works in partnership with:
  - The Regional Strategy Group of the Education and Library Boards (ELBs) (formed 1999) on issues and projects related to children with SEN;
  - The Inter-Departmental Group (IDG) on SEN (formed 2001) with membership from administrative and professional interests from DE and the Department of Health, Social Services and Public Safety (DHSSPS) to help ensure that children with special educational needs are provided with appropriate services;
  - A DE and DHSSPS working group which collaborated to produce "Guidance on Promoting Good Practice between Teachers and Therapists in Schools", (October 2006); and
  - An Inter-Departmental Group on Transition to adult and working life with membership from DE, DEL and DHSSPS. The group published a joint Action Plan in March 2006 to consider how to make strategic improvements in the transition process when young people with SEN leave school and how to fund such improvements.
16. **Autism and Dyslexia** are two of the largest growth areas in SEN in recent years. In May 2002, two Northern Ireland Task Groups published reports, with recommendations, on the future development of educational provision for children with Autism and Dyslexia. The Reports have provided a framework for action over a ten-year period and since their publication DE has sought and secured additional resources to support positive measures.
17. Plans are in hand to establish a **Centre of Excellence** in the education of children with Autism at Middletown in County Armagh. This is a North/South initiative between DE and the Department of Education and Science (DES) in the Republic of Ireland. The aim of the Centre is to promote excellence in the education of children and young people with Autism Spectrum Disorder (ASD) throughout Ireland. Education and health professionals will work with children of all ages and their families to achieve effective management of the condition.
18. In response to criticism from the Commissioner for Children and Young People for Northern Ireland (NICCY), a joint DHSSPS/DE **Speech and Language Therapy** Task Force was set up in September 2006 to address the needs of children with speech and language difficulties and to determine how to effect improvements.
19. Since 2000, **special school numbers** have risen overall by 6%. This reflects the increasing pressures arising from children diagnosed with severe Emotional and Behavioural Difficulties (EBD)/ Attention Deficit Hyperactivity Disorder (ADHD)/ Autism Spectrum Disorder (ASD) and severe and complex needs, who require more intensive

support.

20. There are no plans to reduce the current special school provision in Northern Ireland, which will continue to play a vital role in supporting pupils with significant and complex needs and, in future, will further develop their role in the provision of specialist advice and support to mainstream schools.
21. The Department of Culture Arts and Leisure (DCAL) commissioned a survey inspection of the quality of provision for pupils in **Hearing Impaired** Units. The report of this survey inspection, which has been conducted by the Education and Training Inspectorate, is available on the Department of Education's website, [www.deni.gov.uk](http://www.deni.gov.uk).
22. The Deaf Community view themselves as a linguistic minority and consider the availability of education using their first language to be a basic human right. The Royal National Institute for Deaf People (RNID) has confirmed that a considerable amount of research exists in the UK which indicates that deaf children are disadvantaged in terms of educational achievement as a result of communication difficulties. This has also been evidenced locally by The Deaf Association of Northern Ireland in conducting research in the course of producing a DVD which demonstrates the benefits of a bilingual approach and the introduction of sign language to deaf children early in life.
23. DE commenced a **review of SEN and inclusion policy** in April 2006, focusing on a number of themes, including the arrangements for the identification and assessment of SEN and the nature, quality, extent of provision and support relating to assessed needs for children with SEN. Consultation on policy proposals will take place by autumn 2007 with policy and legislation made operative by April 2008.

### 7.3 QUALITY IN EDUCATION

24. The **Education and Training Inspectorate (ETI)** provides quality assurance and evaluation with expertise across phases, subjects and specific minority areas which encompass the education system. Their task is to identify and report publicly on practice and exemplars of good practice, which includes reporting on the effective use of whatever teaching strategies and methodologies are observed. In respect of special needs, ETI publishes reports in relation to specific inspections and also Northern Ireland-wide surveys on a range of issues.
25. Before an inspection, parents are provided with questionnaires and have the opportunity to add a written comment. The outcomes of the questionnaires are analysed, the outcomes are then reported to the school but not the written comments; and the outcomes and written comments are used as evidence by the inspection team.
26. At the start of an inspection, parents also receive a leaflet explaining the process and advising them how they can contact the inspection team if they wish to do so. The Inspectorate does not, however, investigate individual complaints from parents. Parents are directed to the proper channels to raise their complaint. All organisations should have a process for registering complaints.
27. Overall **standards** are high, evidenced by the Programme of International Student Assessment (PISA) (OECD) 2003 which highlights that Northern Ireland is above PISA average. However, it recognised that there is a gap between high and low performance.

28. Since September 2005 each school has been required to publish a School Development Plan, which includes target-setting and self-evaluation. Schools have been issued with guidance on the development planning process including school self-evaluation and target-setting as an integral part of development planning. DE monitors school performance on an ongoing basis.
29. Raising the educational attainment for all young people, promoting improvement and reducing differentials in educational attainment are key priorities for DE. The **School Improvement Programme (SIP)** which provides a comprehensive strategy, involving all education partners, to raise standards in schools is concerned with tackling low achievement and raising standards for all, in all types of schools. It has a number of separate but related elements, including:
- a School Support Programme (SSP), which offers a period of intensive support to a number of individual schools. In addition to SSP, further additional support, (the Group 1 Initiative), is available for a small number of schools in recognition of the particular difficulties they face;
  - a strategy for the promotion of literacy and numeracy, including early intervention strategies and training for key teachers to improve literacy and numeracy teaching;
  - a strategy for promoting and sustaining good behaviour in schools;
  - the development and dissemination of good practice in schools, including schools in areas of social need; and
  - measures to improve the quality of school leadership.
30. The School Improvement Programme is currently under review and it is intended that, based on the outcomes of the review and lessons learnt, a new strategy will be introduced in September 2007.
31. There is no formal policy on school councils. However, the Commissioner for Children and Young People for Northern Ireland has produced a guide for schools on the development of school councils called 'Democra-School'. This is in keeping with the promotion of the greater participation of young people in both their formal and non formal education and is fully supported by DE. The report was launched by the Minister for Education in May 2007.

#### 7.4 PRESCHOOL EDUCATION

32. One year of funded pre-school education is provided in the year before compulsory education for every child whose parents wish it. The Assembly is moving to implement key recommendations from the Report on the Review of Pre-School Education in Northern Ireland published on 25<sup>th</sup> April 2006.
33. Early Years Services transferred to DE from 1st November 2006, (prior to that policy responsibility for Early Years was with the Department of Health and Social Services and Public Safety, with DE responsible for the Pre-school Expansion Programme). The move from Health to Education is not simply an administrative convenience, it is to join up delivery to provide better outcomes for children and parents and deliver Early Years

services from an integrated care and education platform. The move is also not about formalising education for young and younger children. Young children learn through play. "Age-appropriate" is at the heart of DE's learning strategy, and for young children that means play. DE is currently implementing a developmental programme for 2 year olds (based on Birth to Three Matters) which will focus on constructive play in group settings to enhance the children's social development, build on their communication and language skills, and encourage their imagination through play. This programme will have natural links to both Sure Start and Pre-school and will help create a seamless transition to the pre-school environment. DE has commenced work on the development of a 0-6 strategy which will provide the platform for coherent service delivery.

34. The latest statistics available (Enrolments at Schools and in funded Pre-School Education in Northern Ireland 2005/06) confirm there are 20,611 children in funded pre-school education: 14,224 in nursery schools or nursery classes in primary schools; 754 in reception classes/groups; and 5,633 in funded places in voluntary and private pre-school education centres.
35. In the 1997/98 school year there were funded places for 45% of children in their pre-school year in 160 nursery schools and nursery units attached to primary schools, and in reception places in primary schools. Since then, the increase of free pre-school places has been a priority.
36. A target was set here of providing a year of free pre-school education for every child whose parents wish it. Surveys showed that parental demand was likely to be around 90%. By the 2003/04 school year places were available for 95% of children in their pre-school year. This increase has been achieved through the Pre-school Education Expansion Programme, which is DE's contribution to the Northern Ireland Childcare Strategy, Children First, published in 1999.
37. The Expansion programme has provided additional pre-school places in 100 new nursery schools and units and in 375 voluntary/private settings. The European Union, the Belfast Regeneration Office and the Londonderry Regeneration Initiative have provided a further 30 nurseries. The locations of the new nursery schools and units were planned by a Pre-school Education Advisory Group (PEAG) in each education and library board area.
38. The PEAGs are partnerships between all the pre-school interests statutory, voluntary/private, integrated education, Irish-medium education, health and social services - in their areas. The PEAGs also selected the voluntary/private settings which are offering free places.
39. Having achieved the targets set, Government undertook a review of the effectiveness of pre-school education and consulted on future plans.
40. From 2007, DE is responsible for overseeing Sure Start. In addition, the proposed new arrangements arising from the Review of Public Administration will also provide more coordinated services in this area.
41. Government is also implementing other key recommendations from the report on the Review of Pre-school provision, these include:
  - action to ensure that the learning and development settings available for children are those most suitable for their age; and

- action to address key issues including facilities and resources, training and support and special educational needs.

## 7.5 VOCATIONAL TRAINING

42. For over 10 years Jobskills has been the Department for Employment and Learning's (DEL's) primary vocational training programme for young people aged 16-24. It has provided training places for 16 and 17 year old school leavers, along with some provision for young people aged up to 24. The Programme overarches three distinct but inter-linked strands each addressing the needs of a particular group of trainees:
- the **Access** strand: bespoke training to disadvantaged young people, including those with deficiencies in the essential skills of literacy and numeracy and/or special needs, along with enhanced funding support and training periods for approved qualifications up to National Vocational Qualification (NVQ) Level 1;
  - the **Traineeship** strand: focus on the delivery and attainment of NVQs at Level 2 and specified key skills awards; and
  - the **Modern Apprenticeship** strand: open to young people aged 16 to 24 who are either entering employment for the first time or meet specified criteria for existing employees. Apprentices follow a Training Framework approved for delivery under the Programme and developed in conjunction with the relevant industry, which includes achievement at NVQ Level 3, specified essential/key skills and a technical certificate as required by industry.
43. The Skills Strategy published by DEL in February 2006 outlined a vision for skills which sees vocational training recognised as a valuable alternative to the traditional academic pathway. One of the four broad themes underpinning that vision is improving the quality and relevance of education and training. The commitment to reconfigure training provision for young people is a key part of that agenda. However, it cannot be considered in isolation. Any new training provision for young people must be placed in the context of the wider developments in 14-19 education and training policy, including the implementation of the Post-Primary Review and Further Education reform, which will allow a greater number of young people to experience vocational subjects as part of their curriculum entitlement. There must be a seamless range of options available to young people, and, through appropriate and earlier Careers Education, Information, Advice and Guidance, young people must be enabled to navigate their way through the extended options available and make the right choices for them.
44. The education landscape and the economic climate are significantly different to those of 1995 when the Jobskills programme was introduced. Increased prosperity and levels of investment and a corresponding drop in unemployment rates have resulted in an economy and society with different challenges which need to be met. However, there is still a need for professional and technical provision as a high quality alternative to academic education, aimed at raising the skill levels of participants and thereby their employability.
45. To ensure that the training programme is fit for purpose, a fundamental review was undertaken in Autumn 2005. It is intended there will be new Professional and Technical Training provision from September 2007.

46. A consultation document, Training for Success - Professional and Technical Training issued in July 2006 set out how DEL proposes to take forward its commitments under the Skills Strategy in relation to the reconfiguration of training and Adult Skills. In doing so, it draws together three separate but inter-related strands and sets out DEL's views on a way forward which repositions professional and technical (formerly vocational) training as an economically focused route to highly skilled employment which will contribute to the prosperity of this region. The new Training for Success provision, which replaces Jobskills from September 2007, will provide a training opportunity for those eligible young people who have barriers to learning and work; whether it is in terms of learning disability or emotional behaviour, or social difficulties such as drug or alcohol abuse, domestic violence etc. For these young people a varied range of support mechanisms will be available to enable them to deal with the barriers and prepare them to enter the world of work.
47. DEL wants to ensure that the professional and technical training on offer has credibility and status with young people, parents, training providers and industry.
48. DEL's Careers Information Advice and Guidance Service provides an impartial service to young people (and adults) throughout Northern Ireland via a network of 96 professionally qualified Careers Advisers based in JobCentres, Jobs and Benefits Offices. The mission of the Careers Service is to assist economic and social development by improving the effectiveness of clients' career planning and decision-making skills. The service also sets out to ensure equality of service to young people and adults within an open, responsive, progressive and innovative culture. The Careers Adviser's role is to build, maintain and sustain an effective guidance relationship which values and respects the client and where each client is encouraged and supported to achieve their potential within education, training and employment.

## 7.6 PROMOTING EQUALITY

49. The Department of Education (DE) aims to eliminate inequalities by providing special programmes, support services and resources to groups of young people at risk of being excluded from or unable to avail of the standard education provided for all children. This ranges from programmes for school age mothers and children from the Traveller community, to support measures such as counselling and behavioural teams.
50. DE is committed to ensuring that **children whose first language is not English** can access the school curriculum. There are currently 3,911 children in Northern Ireland for whom English is not their first language and who have significant difficulty with English (October 2006 school census).
51. DE has issued for consultation a policy for children and young people with English as an Additional Language (EAL). Consultation ended in May 2007 and responses are currently being considered.
52. For those children who have sign language as their first language, the use of sign language means that a child has a hearing difficulty, which is classed as a Special Educational Need (SEN). EAL is for those children who have significant difficulty with English because it is their second language and this is not classed as a special educational need.
53. The total allocation for the 2007/2008 financial year for EAL is over £4.4 million. This is made up of:

- Earmarked funding of £813,000 given directly to the 5 local Education and Library Boards from DE;
  - £3.6 million allocated through the Common Funding Formula for Schools;
  - £75,000 also allocated for interpretation and translation services.
54. To prepare the way for the policy to be applied in a consistent manner, the Education and Library Boards will set up a single regional Ethnic Minority Achievement Service (EMAS) incorporating EAL from 1 September 2007.
55. DE has recently completed meetings with interested parties including school principals, teachers, children who are at different stages of EAL development, their parents and non-government organisations whose responsibilities include English as an Additional Language.
56. An Education and Training Inspectorate (ETI) survey across the five Education and Library Boards has recently been completed and will provide DE with factual evidence regarding EAL services.
57. Specific action is also being taken to support the 792 school age **Traveller children** in Northern Ireland. The Department of Education has allocated nearly £1.1 million for the 792 Traveller pupils.
58. In recognition of the particularly severe disadvantages of Travellers, the Government set up a Promoting Social Inclusion Working Group (PSIWG) on Travellers who prepared a report. Government responded to the 33 recommendations in the Report, of which the Department of Education has responsibility for 11.
59. DE is working proactively to improve the education of Travellers through the recommendations of the PSIWG Report. DE is doing this by:
- Flexibility in preschool;
  - Bullying to be addressed as part of discipline policy in all schools;
  - Curriculum statutory from August 2006 and detail to be phased in from September 2007:
    - More Flexible and holistic
    - Real world skills
    - Vocational aspects
  - Racism and multiculturalism as part of curriculum;
  - DE funded 3 publications re Human Rights and Bill of Rights issued to all schools;
  - Statistical data on Travellers on DE's website;
  - Post primary research on Travellers completed and published ('Improving Pupil Attendance at Schools NIAO Report 2004); and
  - ETI report on Travellers in mainstream schools
60. The Northern Ireland Audit Office report on attendance indicates that DE, Education and Library Boards etc are addressing these issues proactively.
61. The importance placed upon assisting Traveller children is reflected in the funding allocated by DE of nearly £1.1 million for 792 pupils.

- Earmarked funding of £354,000 was allocated to the 5 local Education and Library Boards, on a per capita basis, for 792 Traveller children in the 2007/08 financial year to address education within schools (£445 per pupil); and
  - This is in addition to funding of £693,786 provided directly to schools under the Common Funding Formula. This equates to £943 per pupil.
62. Currently, a pupil is entitled to Free School Meals if he/she is the child of an **asylum seeker** who is in receipt of support from the Home Office National Asylum Support Service (NASS). This is in line with the position in Great Britain.
  63. There have been a number of significant developments since 1999 in the arrangements for funding and supporting the development of **Irish medium education**. The Education (Northern Ireland) Order 1998 placed a duty on DE to encourage and facilitate the development of Irish-medium education.
  64. The Order also made provision for DE to pay grants to a body to promote Irish-medium education and brought the funding arrangements for Irish-medium schools into line with those in other sectors. In August 2000, DE established the body Comhairle na Gaelscolaíochta to encourage and facilitate the strategic development of and provide guidance and advice to the Irish-medium sector. The Department of Education provides the body with core funding on an annual basis.
  65. DE also established the Irish-medium trust fund, Iontaobhas, in March 2001. The Trust provides support for the development of the sector by establishing pre-school provision, awarding grants to independent schools and helping with capital costs for schools which have been approved for recurrent grant aid but are not yet eligible for capital grants. DE has so far made contributions of almost £3.2 million to the Trust.
  66. Since 1999 12 primary schools, 8 primary units and 2 post-primary units have been given grant-aided status. This means that of the overall enrolment of 3,209 pupils in Irish-medium schools, 99% are in schools that receive 100% grant-aid. At October 2006 there were 21 schools and 12 Irish-medium units attached to English-medium schools.
  67. Children in the **Juvenile Justice Centre** are encouraged to improve their standards of education and achievement and are provided with a full range of education, training and development opportunities appropriate to their age and ability. Class groups primarily consist of three children and each child is allocated a personal tutor to support their education. The Centre is not required to deliver the National Curriculum but provides a broad range of subjects aimed at meeting the particular needs and interests of the young people, the majority of whom have dropped out of formal education some years beforehand.
  68. In addition, two specialist workers have been provided to enhance links with external education providers and to ensure that the children are placed within an appropriate education or vocational provision on their return to the community.
  69. Within the centre there is a strong emphasis on assessment and opportunities for the children to address educational difficulties, gain accreditation and celebrate success.

70. Teachers working in the Centre are employed directly by the Youth Justice Agency, not the Department of Education, but are linked for training purposes to ensure their personal development needs are met.
71. The Youth Justice Agency also provides a limited community-based education provision for children who for a variety of reasons are not receiving an adequate education at school and who are at risk of involvement in crime.
72. Children of compulsory school age placed in **secure care accommodation** have access to education in the special school, which is attached to the Regional Secure Care Centre and managed by the local education board. The curriculum is designed to be relevant to the needs of the young people accommodated. Where possible, as indicated in individual care plans, young people are phased into outside educational establishments as part of their preparation for discharge from secure care.
73. Within Hydebank Wood Young Offenders Centre, all juveniles and young offenders are encouraged to improve their standard of education. They are offered the opportunity to improve their literacy and numeracy skills from Entry Level 1 to GCSE English and Mathematics. Also offered are ICT and Digital Technology, Employability (level 1), Citizenship, Art, Crafts, Cookery, Music and Leathercraft. If required, A level courses can be organised and those young offenders serving longer sentences and who meet the educational requirements may also study with the Open University at undergraduate level.
74. The LACE (**Looked After Children in Education**) project was established in 2001 and has been developed by Include Youth, VOYPIC and Save the Children. The project began as a participative research project on the educational experiences of children and young people in care in Northern Ireland. Its overall aim is to improve the educational outcomes for looked after children by informing practice and policy development through Children's Services Planning groups in three of the four HSS Boards on areas of development such as inter agency protocol and the use of Personal Education Plans. The LACE Co-ordinator is a member of the Looked After Children (LAC) Sub Group of the Children's Services Planning Group in 3 Board areas. In the fourth Board, member organisations of the LACE Steering Group sit on the relevant Sub Group. Meaning that LACE is 'plugged in' to developments/planning/practice across the region.
75. The LACE project works in partnership with all agencies which contribute to the education of looked after children – in particular Health and Social Care Trusts, the Education and Library Boards and their education services, schools, the Youth Justice Agency, the youth service and community groups working within each of the three pilot project areas.
76. There are two initiatives within the Children and Young Peoples Funding Package aimed at **improving education provision of looked after children**.
77. The Fostering Achievement Scheme, run by Fostering Network NI and Include Youth, was officially launched in September 2006. The scheme aims to provide practical support to foster carers, so that they are better equipped to help those children and young people in their care to achieve from both a personal and educational perspective. The scheme is currently sourcing and delivering equipment and tutoring to over 660 children and young people across the region. £1.4 million has been provided in 2006/07 and 2007/08. The money is available for IT equipment, arts and crafts materials, educational tuition and equipment for extra curricular activities contributing to these young persons knowledge, skills and personal development including music, art and dance.

78. The project recognises that foster carers hold the key to helping fostered children reach their potential and that they need to be trained and supported in this role. Training on topics ranging from computer skills and internet safety to how to help children improve their literacy and numeracy will be provided.
79. £100,000 in 2006/07 has been provided to ensure that each young person in a children's home has access to a computer.
80. A specific programme of support measures, including child care if considered necessary, for **school age mothers** has operated in Northern Ireland since 1999. This programme is funded by DE and is guided by a partnership of statutory and voluntary bodies. Young women can complete their compulsory education and remain in education beyond age 16 if they so wish. The allocation to the Education and Library Boards for School Age Mothers programmes for 2006/07 was £407,000.
81. All schools are required by law to have a policy on **bullying behaviour** and to consult with pupils and parents on these policies. Research has been undertaken around policies and to determine the extent and nature of bullying. There is a commitment to promoting an anti bullying culture in schools and this is done through a partnership between voluntary and statutory bodies.
82. The Northern Ireland Anti Bullying Forum has been established by Save the Children to focus attention on the ill effects of bullying and to develop strategies that will allow schools to apply the best approaches to tackling bullying. Research has already been undertaken into this topic and further research on the nature and extent of bullying in schools was published by DE on 28 June 2007. A child friendly summary of this research will also be produced. Dedicated teams of support workers have been set up in each board to provide a support service to schools in their areas.
83. The Education (Northern Ireland) Order (2006) took effect on 1 August 2006 and includes new arrangements in relation to the **suspension and expulsion** of pupils from grant-aided schools. These arrangements include the introduction of a scheme for suspensions and expulsions, a regional independent expulsion appeals tribunal, and clarification on the education of suspended pupils. It also includes an enabling power for DE to introduce a system of appeals against suspension. These arrangements will ensure consistent practice across all schools and equity of treatment for all pupils irrespective of the school they attend.

## 7.7 PLAY

84. On 24 October 2006, a 12 week consultation on a draft Play Policy for Northern Ireland was launched. The aim of the policy is to establish play within a policy framework that will place high value on play as an essential element in the development of children's lives, families, communities and society.
85. The play policy is set within the context of the 10-year strategy for children and young people and will contribute to the delivery of many of our strategic aims, particularly those which relate to improved health and achievement outcomes.

86. The draft was produced with cooperation with a number of key stakeholders in the field of play, including PlayBoard and NIPPA –The Early Years Organisation. The Commissioner for Children and Young People for Northern Ireland also played an oversight role during the development of the draft policy. The play policy, which is aimed at children aged 0 - 18 years will be taken forward in two implementation plans: for 0-11years and 12-18 years.

## 7.8 ARTS

87. The Arts Council of Northern Ireland recognises and acknowledges the excellent and challenging work undertaken by artists, arts organisations and others in the development of Youth Arts activity for children and young people up to the age of 25 years.
88. Children and young people participate in the arts across all art forms and in contexts ranging from arts venues, festivals, schools, colleges and universities, and including libraries, health care settings, museums, youth clubs and community and voluntary groups. Their engagement sometimes takes place alongside adults but it occurs primarily through organisations, programmes and initiatives dedicated to them.
89. The Council ensures its funding contributes to increasing their participation in the arts as audiences, performers and creators and through promoting the development of skills training and development initiatives.
90. The Arts Council's support and resourcing of Youth Arts is based on the knowledge that the arts are a means to improving quality of life, enabling self-expression, enhancing learning and furthering the exploration of personal and social identity for children and young people as they grow and develop.
91. The Arts Council supports artistic work with children and young people through ongoing funding and developmental activity with a wide range of clients and partners. That work is underpinned by the need to be recognised as central to the effectiveness of future policy for children and young people across all dimensions; educational, social and economic. In all these a cultural dimension is fundamental to achieving sustainable development.
92. The Youth Arts sector has developed significantly in the past ten years, creating a huge appetite from young people for opportunities to experience the arts. The Arts Council has contributed to this growth notably through the distribution of government funding and funds received from the National Lottery.
93. Since the last report the Arts Council of Northern Ireland (ACNI) has implemented the following;
- **2001**, included within the 2001/2006 ACNI Strategic Plan a specific strategic objective focused on the development and advancement of children and young people's access to and participation in the arts "Enhance children and young people's access to creative expression through the arts in contexts of their own choosing, and increase opportunities for participation as they grow and develop";
  - **2003**, created a dedicated Arts Development Officer post for Youth Arts in 2003 focused on the development of the Youth Arts Sector;
  - **2003**, established a Youth Arts Funding Policy "The Council assists individual artists, arts organisations, schools, colleges and universities, community and voluntary

groups and other organisations, both public and private with responsibilities for children and young people. Rationalising provision, and addressing the development of the youth arts sector as a whole, has resulted in priority being given to organisations, programmes, projects and initiatives that create an intersectoral partnership approach to programming”;

- **2003**, established a dedicated Youth Arts Portfolio of organisations that have as a strategic and operational priority the development of arts based programmes for, with and by children and young people up to the age of 25 years in both the formal education and alternative learning settings;
- **2004**, establishment of the Creative Youth Partnership Programme;
- **2004**, Creative Youth Partnerships – Code of Practice for Child Protection (2004);
- **2005**, publication of the Education & Training Inspectorate Interim Report on Creative Youth Partnerships (Department of Education, September 2005);
- **2005**, establishment of the Early Years Arts Lottery Programme;
- **2006**, ACNI undertook a review of the Youth Arts Policy (2001/2006) and the Youth Arts Funding Policy (2003). The process undertaken by ACNI involved the establishment of a dedicated working group of key stakeholders (individuals and organisations) who contribute to the development of the Youth Arts sector. This process has resulted in the development of a new Youth Arts Policy; and
- **2006**, ACNI developed and present their new Strategic Plan for 2006 to 2011. Theme 2, ‘Strengthening the Arts’, has a specific theme of Arts and Education and within this acknowledges the need for the arts to be valued as part of every child’s cultural entitlement. Youth Arts activity is presented as a complementary activity to the Extended Schools Programme.

## Environmental Education

94. Environment and Heritage Service’s (EHS) Education Service delivers programmes of environmental education and education for sustainable development to 44,000 children at 7 Country Parks and some of the 185 State Care Monuments. EHS also provides grant-aid directly to schools (9 schools) and also to NGOs to deliver environmental education to schools.

## 7.9 LANGUAGES

95. The St Andrews Agreement (October 2006) stated that government would introduce an Irish Language Act reflecting on the experience of Wales and Ireland and to work with the Executive to enhance and protect the development of the Irish language. The Northern Ireland (St Andrews Agreement) Act 2006 places a duty on the Executive to adopt a strategy setting out how it proposes (1) to enhance and protect the development of the Irish language, and (2) to enhance and develop the Ulster Scots language, heritage & culture.
96. A consultation paper on possible approaches to proposed Irish language legislation was launched on 13 December 2006. On 13 March 2007, the Department of Culture, Arts and

Leisure (DCAL) published a further paper seeking views on indicative draft clauses. The deadline for responses was 5 June 2007. This consultation received in the region of 11,000 individual written submissions which are currently being analysed.

97. Government has been working with the Ulster-Scots Agency to produce proposals for projects and initiatives that would give effect to the commitment in paragraph 95.

#### **7.10 SPORT**

98. Sport NI invests in organisations (through Lottery and Exchequer funding), aimed at increasing participation amongst young people, and in particular to disadvantaged young people e.g. through the Investing in Sport Programme (2003-2006) an award of £124,000 to Playboard enabled the employment of a Team Leader to develop the 'Fit for Play Award'. The project focused on disadvantaged groups and areas by association with Playgroup sites in specific areas, i.e. Health Action Zones, with the programme training element leading to greater quality of opportunities for young people in after school club settings.
99. The implementation of the Clubmark programme has seen 248 clubs gaining accreditation, thus ensuring a safe, child friendly and effective environment for young people to take part in sport.

**Data section (please refer to pages 93 - 96)**

## 8. SPECIAL PROTECTION MEASURES

### 8.1 ASYLUM SEEKERS AND REFUGEES

1. An asylum seeker is a person from overseas who has come to the United Kingdom and claims asylum from persecution in their home country. While the claim is being assessed the person is considered as an asylum seeker. Under the Northern Ireland Act 1998 immigration is an excepted matter and asylum claims are dealt with by the Home Office. Once the Home Office has made a decision on the claim, the person is either granted permission to stay (becoming known as a refugee) or is refused permission to remain in the United Kingdom. A refugee is generally entitled to the same services as a citizen of the United Kingdom.
2. As stated in the Racial Equality strategy, the number of refugees in Northern Ireland is, by all accounts, small. Nevertheless, it is in the interests of wider society as well as the refugees themselves – however many there may be – that we empower them to achieve their full potential as members of society, to contribute to the community, and to become fully able to exercise the rights and responsibilities that they share with other residents. Moreover, refugees do have very specific needs as a result of their experiences and circumstances, and service providers must identify these needs and develop ways of meeting them.
3. Accordingly, the Office of the First Minister and Deputy First Minister (OFMDFM), working with other government departments and the community and voluntary sector, will develop a **refugee integration strategy**.
4. OFMDFM will take the lead, through the co-ordination group that is chaired by the National Asylum Support Service, in developing the strategy. The Racial Equality Forum will also consider this strategy. It will draw on the strategies for England and Scotland that have been developed by government.
5. Currently the Northern Ireland Council for Ethnic Minorities is subcontracted by the Refugee Council (UK) to provide an advice and support service to destitute Asylum Seekers while they apply for assistance through the new NASS (National Asylum Support Service) provisions. The service is free and confidential. Interpreters are arranged as required. Elements of the service include:
  - Initial assessment;
  - Discussion of support options;
  - Briefing clients on the NASS process and time scales involved;
  - Assessment of urgent needs, e.g. clothing, medical;
  - Applying for NASS support;
  - Arrangement of emergency full-board accommodation;
  - Liaising with NASS regarding progress of application;
  - Referral to legal representation for asylum applications;
  - Advice, assistance and support while a client is waiting for a NASS decision;
  - One Stop Service for Non-NASS clients, referring to Social Services and other appropriate agencies;
  - Referral and registration with GPs and dentists;
  - Arranging English language classes;
  - Arranging access to community groups; and
  - Refugee resettlement and integration.

## 8.2 SEXUAL EXPLOITATION

6. Action research conducted by Barnardo's Northern Ireland since December 2001 has indicated that there is a high proportion of children within the care system who are known to be, or expected by staff to be, sexually exploited. Research undertaken by Barnardo's on a UK-wide basis indicates that the pre-disposing factors for children who are sexually exploited or vulnerable to it are that they will have experienced disruption in their early lives, such as family breakdown or instability, neglect, domestic violence, physical or sexual abuse. These are the children who are most likely to end up within the looked after system and who are often labelled in terms of their criminal or anti-social activity, while professionals and society fail to see the underlying reasons for their behaviour.
7. The Northern Ireland Office (NIO) provides £100,000 funding to Barnardo's "Beyond the Shadows" project, a study to examine the extent of child prostitution, to promote awareness of the problem and to suggest strategies for tackling it. The project is working to achieve 4 key outcomes:
  - Awareness-Raising;
  - Intelligence Gathering;
  - Prevention; and
  - Protection.
8. The target for this preventive work is children and young people within the looked after system, particularly residential care, youth clubs/groups, schools and other settings where children may fall outside mainstream education.
9. Awareness-raising and preventive work with children and young people will help identify individual and collective needs to inform the range of responses required. The project also works with other agencies, making robust links with significant key agencies, for example, within social services, health, the police and education.
10. Significant changes have been made to the law in Northern Ireland through the extension of a number of offences in the **Sexual Offences Act (2003)** aimed at protecting children. These include the new offence of meeting a child following sexual grooming, offences relating to abuse of children through prostitution and pornography and trafficking offences and strengthened abuse of trust offences. The body of sexual offences law in Northern Ireland is currently being reviewed and it is proposed to have new legislation in place during 2007. The aim is to ensure a modern, effective and comprehensive body of law commensurate with today's society and behaviour, and which offers the highest standards of protection for everyone, but particularly for children and other vulnerable groups.
11. The Department of Health, Social Services and Public Safety (DHSSPS) and NIO issued a consultation document titled "*Hidden Crimes, Secret Pain*", which attempts to address issues faced by victims/survivors of sexual violence and its impact on their families and society as a whole. The consultation period ran until 27 April 2007 and following consideration of responses, a Sexual Violence Strategy and accompanying Action Plan will be published at the end of October 2007.
12. The Sexual Violence Strategy will oversee the development of a regional framework for addressing sexual violence which will guide policy and service responses from our healthcare, criminal justice and support system to ensure that they:

- Meet the needs of victims/survivors;
  - Encourage the reporting of offences;
  - Focus strongly on prevention;
  - Tackle issues affecting the successful prosecution of cases;
  - Maximise the accountability of perpetrators;
  - Promote awareness; and
  - Challenge social attitudes.
- 
13. A five year strategy *"Tackling Violence at Home – A Strategy for Addressing Domestic Violence and Abuse in Northern Ireland"* was launched in October 2005. This Strategy acknowledges that children are very much the silent victims of domestic violence and recognises that their experiences can affect their emotional, psychological, physical and sexual development. The Strategy identifies a number of objectives aimed at supporting children who live in violent homes.
  14. Annual Action Plans translate the strategy's principles and aims into practice by setting out the key actions to be achieved within a defined timescale. Recent actions include the roll out and funding of the Barnardo's Risk Assessment model; and funding the evaluation and roll out of NSPCC pilot programmes to address the needs of children and families affected by domestic violence.

### 8.3 CHILDREN IN THE JUSTICE SYSTEM

15. The **legislative** changes (primarily the Criminal Justice (Children)(Northern Ireland) Order (1998)) introduced between 1996 and 1999 resulted in a large reduction in the number of children held in custody from 100 to less than 30 and for shorter periods (from an average of 9 months in 1996 to a current average of 4 months). Shorter determinate sentences were introduced ranging from 6 months to 2 years with half of the custodial order to be served under supervision in the community. This sustained reduction in population facilitated the closure by 2003 of the unsuitable accommodation at Lisnevin and the development of a single custodial provision for Northern Ireland.
16. The Justice (Northern Ireland) Act 2002 introduced a **youth conferencing** model to the youth justice system. It is based on restorative justice principles and gives young offenders the opportunity to understand the harm caused by their offences, to take steps to avoid offending in the future and, at the same time, make amends to their victims, family and community. Referrals to a youth conference can be either through the diversionary scheme operated by the Public Prosecution Service (PPS) or following a finding of guilt in court. A particularly pleasing aspect has been that participation and satisfaction among both victims and young offenders has been exceptionally high. While it is too early to assess any differences in terms of recidivism and its impact on the use of custody there have already been some encouraging signs. Completion of the roll out of youth conferencing was achieved in December 2006.
17. The Act also made community responsibility orders and reparation orders available to the Youth Court. The community responsibility order is a two-part order which requires the young person to first participate in a programme of training in citizenship followed by an appropriate constructive activity for a designated numbers of hours while a reparation order requires the young person to make an act of reparation to the victim of their offence or to society at large.

18. All of these new arrangements have been the subject of independent evaluation, the results of which have been very positive.
19. The Anti-social Behaviour (Northern Ireland) Order (2004) introduced Anti Social Behaviour Orders (ASBOs). Their purpose is to protect the public from the behaviour of individuals whose anti-social activities disrupt the lives of the wider community. Orders can be made on application to or on conviction by the Court and are for a minimum of 2 years. Since their introduction, out of a total of 40 ASBOs reported to the Northern Ireland Office, 17 have been given to children, most following conviction on criminal charges. Courts have the discretion to impose reporting restrictions in the case of a child and automatic reporting restrictions operate in the youth court.
20. ASBOs result from a civil process and are not a criminal justice sanction. In the case of a child, breach of an ASBO is an offence and is dealt with through the youth court. If breach is proven, the court must offer the child the opportunity to attend a youth conference from which a youth conference order may be made. In exceptional cases the courts may make a custodial order.
21. The introduction of ASBOs was accompanied by the provision of comprehensive guidance to ensure uniformity of approach, consultation and partnership working with relevant agencies. This is viewed as particularly important where consideration is being given to applying for an ASBO against a young person and other agencies may already be involved in working with them or their family.
22. Following the launch of the Youth Justice Agency (YJA) in April 2003, there has been considerable ongoing investment in funding services and projects working with young people at risk of involvement, or further involvement, in crime. The roll-out of the Youth Conference Service across Northern Ireland represents the YJA's continuing commitment to investing in diversion and effective intervention. In addition, there has been a significant expansion of the network of Community Services projects (now numbering 23) which provide a wide range of community-based services to children who are at risk of offending or re-offending. The NIO has further fulfilled its commitment to reinvest resources released by the rationalisation of the juvenile justice estate through the development of diversionary projects and programmes in the community. This level of investment has increased 20 fold over the past 7 years from £125,000 in 2000 to a total investment of £2.5 million during 2006/07 alone, and has included increased support for the voluntary/NGO sector to enhance its capacity to advocate on behalf of marginalised young people. The level and purpose of funding to the voluntary/NGO sector is available for scrutiny on a publicly accessible website.
23. While the number of children in **custody** is low (the average population of the Juvenile Justice Centre in 2006/07 was 26) we are concerned and are developing contingencies to address the high proportion of those placed on remand (many of whom are Looked After Children) due to shortcomings within other parts of the continuum of care.
24. These developments are highlighted to demonstrate that custody for children is regarded very much as a sanction of last resort reserved only for serious and persistent offenders. The arrest, detention or imprisonment of children is governed by statutes which take account of the UNCRC and, in particular, that they are detained only as a last resort and for the shortest appropriate period of time.

25. Children are treated with fairness and respect (as reflected in the Value Statement of the Youth Justice Agency), and in a manner appropriate to their assessed needs and age. No child is subject to torture, cruel, inhuman or degrading treatment or to capital punishment or life imprisonment without release.
26. The Juvenile Justice Centre (JJC) is subject to inspection by the Chief Inspector of Criminal Justice for Northern Ireland. The Social Services Inspectorate also undertakes 4 unannounced visits each year. The Northern Ireland Human Rights Commission (NIHRC) and the Commissioner for Children and Young People for Northern Ireland (NICCY) have also carried out investigations and research on a range of issues relating to children in custody. These have included 'In our care', 'Still in our care' by NIHRC and recent research by NICCY on mental health and complaints. All of these bodies have consulted directly with the children in the centre and are accorded full co-operation and extensive access to staff and facilities and may make recommendations for the improvement of custodial arrangements and procedures. In general, all of these bodies have indicated their satisfaction with the progress the Centre is making in all areas. The revised Statutory JJC Rules will ensure that all of this development has a firm legal and practice basis.
27. Hydebank Wood Young Offenders Centre and Prison is subject to inspection by HM Chief Inspector of Prisons and the Chief Inspector of Criminal Justice for Northern Ireland. The Commissioner for Children and Young People has also carried out research in relation to the children in custody there.
28. In all criminal cases, a child's right to **privacy** is protected under statute unless disclosure is deemed, by the court or the Secretary of State, to be in the public interest. The civil (rather than criminal or penal) process under which anti-social behaviour orders operate also provides courts with the discretion to apply reporting restrictions in cases involving children. Reporting restrictions may also be imposed in cases involving adult offenders where there is a risk of children and other vulnerable witnesses and victims being identified.
29. Children who are charged with a criminal offence are entitled to apply for **free legal aid representation** through the Legal Aid Scheme; the grant of legal aid will depend on the statutory criteria being met. Children can only be detained under very specific circumstances governed by legislation. Detention can be challenged at court.
30. The separation of adults and juveniles in custody is the subject of a State Party reservation. However in Northern Ireland, only in very exceptional circumstances are children ever accommodated with adults. Special provision has been made (as recommended by the Criminal Justice Review) for males under 18 year old committed to the Young Offenders Centre at Hydebank Wood to be kept apart from the older young people and courts are now be able to send vulnerable 17 year olds to Woodlands Juvenile Justice Centre in Bangor, where younger children are accommodated. Following a review of these arrangements further changes to legislation are being considered to provide additional legal safeguards (provisions) to ensure that the most vulnerable young people are accommodated appropriately. There is, however, no provision for separating 17 year old girls from adult female prisoners at present. As the numbers of those under 18 are very rarely more than one or at most two, separation would entail isolation. This situation is being kept under review and will be taken into account in any changes to existing legislation.
31. We regard the present **age of criminal responsibility** of 10 as appropriate and have no plans to raise it. The comprehensive review of the criminal justice system in Northern Ireland considered the matter and did not recommend that the age should be increased. It

did, however, recommend that children aged 10 -13 who are found guilty of criminal offences should not be held in a juvenile justice centre and that their accommodation needs should be provided by the care system. Whilst legislative provision was made to meet this recommendation, it was felt that a non-institutionalised approach would be more appropriate. This approach is also supported by the judiciary and Northern Ireland Human Rights Commission. The youth justice system therefore continues to work with a range of partners in the statutory and NGO sectors, and the NIO has led the development of plans for a network of services to support young people in tackling their offending behaviour, to help those at risk of offending and to provide early intervention opportunities to ensure that offending patterns do not become entrenched and thus reduce the need for custody.

32. All **indictments** against children are now sent to the office of the Lord Chief Justice who personally inspects them and assigns an appropriate Crown Court judge to the case. Children tried on indictment represent a very small proportion (less than 2% over the last 2 years) of the overall number of cases.
33. The Criminal Evidence (Northern Ireland) Order 1999 introduced special measures provisions into the criminal justice system to assist and protect vulnerable or intimidated witnesses, which include children, and allow them to give their best evidence possible at court.

The various measures are:

- Article 11 – Screening witness from the accused
  - Article 12 – Evidence by live link
  - Article 13 – Evidence given in private
  - Article 14 – Removal of wigs and gowns
  - Article 15 – Video evidence in chief
  - Article 18 - Aids to communication
34. All of the measures referred to above are available to child witnesses in the Crown, county and magistrates' courts – which includes the youth court.
  35. The special measures for children provisions of the Order were commenced on 30 June 2003. In preparation for commencement the Northern Ireland Court Service devoted significant resources to the implementation of these provisions.
  36. On 18 September 2006 the use of measures currently available to child witnesses was extended to include child witnesses in anti-social behaviour proceedings.
  37. The National Society for the Prevention of Cruelty to Children (NSPCC) currently runs the Young Witness Service (YWS) funded by NIO, which provides support for child witnesses, their family and friends, before, during and after trial. The aim of the YWS is to enable prosecution victims and witnesses deal with the experience of attending court and giving evidence. The YWS is currently available in all Crown Courts and will be extended to all Magistrates Courts, Youth and County Courts.
  38. The Police Service of Northern Ireland (PSNI) has, in recent years, developed a specific Strategy for Children and Young People which is based on the premise of Diversion, Education and Consultation.

39. Diversion: The Youth Diversion Scheme (YDS) of the PSNI was established in September 2003, replacing the former Juvenile Liaison Scheme to provide a framework within which the PSNI can respond to all children who come into contact with police for a variety of reasons, including non-offending behaviour, risk of offending, antisocial behaviour, or the commission of an offence. Restorative justice is central to the YDS and recognises that the police alone cannot address all of the issues which lead to children and young people committing crime and being involved in antisocial behaviour. It therefore aims to address these issues in partnership with other public agencies and the community.
40. Education: The Citizenship and Safety Education Programme (CASE) aims to establish and reinforce positive and productive contact between young people and police through the school sectors. The programme is a vehicle through which young people can engage and also develop their understanding and knowledge of Policing, Personal Safety, Rights and Responsibilities.
41. PSNI has also undertaken a pilot initiative based on the English model of Safer Schools Partnerships which primarily focus on working to ensure that pupils build a positive association with police. Through the scheme, a police officer was based at each school for an agreed period. Surgeries were available for young people who wished to talk in confidence to the police officers. Each school also had the opportunity to utilise the police officers in providing instruction and guidance to teachers on various issues involving young people such as recognising drug/alcohol abuse and bullying. Initial evaluation of the scheme was extremely positive.
42. Consultation: Within the context of engagement, PSNI also wish to establish further engagement and consultation with young people regarding key policing matters. This has led to the recent development (February 2007) of four Independent Advisory Groups across Northern Ireland which have the strategic aim of engaging and consulting with young people on policing matters which impact on their daily lives.
43. In addition to the above, and alongside the inclusion of 17 year olds within the ambit of the youth court, a review of Police and Criminal Evidence (PACE) legislation will lead to everyone under 18 being treated equally – as children – when being held under PACE. This will mean that 17 year olds will benefit from relevant services such as the Appropriate Adult scheme to which they currently do not have access.

#### 8.4 TRAINING THE JUDICIARY

44. Training has been provided to the judiciary in respect of dealing with children in the youth justice system. The courses attended are:
  - Welfare and Justice – ways in which family and youth courts can work together to reduce offending by children
  - Restorative Justice – Youth Conferencing
  - Children in trouble with the Law – What Works?
  - Children, Young People and Crime Conference
  - Developments in Youth Justice
  - Youth Justice (Northern Ireland) Act 2002
  - Visits to Young Offenders Centres and Maghaberry Prison.
45. Lay Magistrates have attended at similar training events;

- Restorative Justice
- Review of Criminal Justice (Northern Ireland) (Children) Order (1998)
- Include Youth – Annual Conference
- Disposal Options in the Youth Justice System
- Youth Conferencing – Restorative Justice Intervention
- Welfare and Justice
- Turning Young People away from Crime
- The Right Justice.

## **8.5 CHILDREN AT WORK**

46. There are a number of key pieces of health and safety legislation which contain specific requirements aimed at protecting children in work situations. These are as follows:

- The Employment of Children (Amendment) Regulations (Northern Ireland) 2006;
- Health and Safety (Training for Employment) Regulations (Northern Ireland) 1994;
- Working Time Regulations (Northern Ireland) 1998;
- Ionising Radiations Regulations (Northern Ireland) 2000;
- The Management of Health and Safety at Work Regulations (Northern Ireland) 2000;
- Control of Lead at Work Regulations (Northern Ireland) 2003;
- Working Time (Amendment) Regulations (Northern Ireland) 2003; and
- The Agriculture (Safety of Children and Young Persons) Regulations (Northern Ireland) 2006.

47. In relation to the last mentioned, whilst legislation is generally on a par with that in Great Britain (GB), these regulations which came into operation on 31 October 2006, will result in Northern Ireland moving ahead of GB having regard to the particular local circumstances in relation to large numbers of small family operated farming enterprises and the dependence on children working to support the enterprise.

**Data section (please refer to pages 97 - 100)**

## DATA

### GENERAL PRINCIPLES

#### 1. Child deaths by cause

Cause	1999	2000	2001	2002	2003	2004	2005
HIV/AIDS	0	0	0	0	0	0	0
Tuberculosis and hepatitis	0	0	0	0	0	0	1
Acute respiratory infections	7	17	10	10	4	10	8
Traffic and other accidents	55	59	44	42	60	44	60
Suicide	7	11	8	8	3	3	10
Assault	2	12	4	1	2	1	2
Polio	0	0	0	0	0	0	0
Malaria	0	0	0	0	0	0	0

Source: Registrar General Annual Reports

#### 2. Number of children who have been killed on farms or as a result of other work activities such as construction since 1998.

Work Activity	1998	1999	2000	2001	2002	2003	2004	2005
Farming	0	2	1	3	1	2	1	0
Other	0	0	1	0	1	0	0	1

Source: Health and Safety Executive Northern Ireland

#### 3. Deaths as a result of crimes recorded where the victim is aged under 18 years of age

Crime Type	2003/04	2004/05	2005/06
Murder	2	2	3
Manslaughter	1	1	0
Infanticide	1	1	1
Causing death by dangerous driving or aggravated vehicle taking	8	7	4
<b>Totals</b>	<b>12</b>	<b>11</b>	<b>8</b>

#### 4. Number of youth organisations

##### Youth Organisations (latest figures 04/05)

Total participants - 192,419

No of registered and sponsored groups – 2097

No of Duke of Edinburgh units – 233

No of outdoor residential units – 13

No of other youth projects – 248

There are approx 517,000 people aged 4 –25 in Northern Ireland. It is estimated that approx 33% of young people use youth services.

#### 5. Number of organisations for younger children

##### Organisations for younger children

Total facilities - 1232

Playgroups - 545

Day care - 207

Creches - 84

After schools - 235

Parent and toddler - 243

Family centres - 48

## CIVIL RIGHTS AND FREEDOMS

### 6. Birth registrations

Registration Year	All Births (resident and non-resident in Northern Ireland)	Births (Resident in Northern Ireland Only)	Births (Non-Resident in Northern Ireland Only)	% of Total Births
1999	23,173	22,957	216	0.93%
2000	21,768	21,512	256	1.17%
2001	22,251	21,962	289	1.29%
2002	21,772	21,385	387	1.77%
2003	22,055	21,648	407	1.84%
2004	22,893	22,318	575	2.51%
2005	22,846	22,328	518	2.26%

100% of Births within Northern Ireland should be registered within 42 days.

Source: Registrar Generals Annual Report

### 7. Libraries

Public libraries	113
Mobile libraries	31

8. Training undertaken in Therapeutic Crisis Intervention and Physical Control and Care

Event	Year	No of courses	No of Staff
Full TCI – 3 days	2005	6 – (2 courses for JJC staff and 4 courses across directorates)	72
	2006	2	30
Full PCC – 5 days	2005	6	71
	2006	1	06
Breakaway – 1 day	2005	7 – (1 course for JJC admin & support services and 6 courses across directorates)	72
	2006	1	15
Refresher TCI/PCC – 3 days	2005	24	240
	2006	14	80

Source: Youth Justice Agency

9. Training Carried Out In TCI and Control and Restraint

Event:	Year:	Number of Courses:	Number of Staff:
TCI (2 Days)	2006	2	16
C&R Basic (2 Day)	2005	36	162
C&R Refresher (1 Day)	2005	6	18
C&R Basic (2 Day)	2006	32	177
C&R Refresher (1 Day)	2006	1	3
Defensive Techniques:	2005	1	8

Source: Youth Justice Agency

## FAMILY ENVIRONMENT AND ALTERNATIVE CARE

### 10. Admissions to custody, including those under the Police and Criminal Evidence (Northern Ireland) Order 1989 (PACE)

Status	Admissions 2003-04	Admissions 2004-05	Admissions 2005-06
P.A.C.E.	184	197	134
Remand	176	216	223
Committal	45	51	56
<b>Total</b>	<b>405</b>	<b>464</b>	<b>413</b>

Source: NIO Statistics & Research Branch

### 11. Looked After Children, by Placement and Age (2002)

Age	Placement					Total excluding Placed with Family
	Residential Care	Foster Care	Placed with Family	Other	Total	
Under 1	2	42	21	4	69	48
1-4	8	250	88	4	350	262
5-11	39	634	186	6	865	679
12-15	166	396	157	21	740	583
16 and Over	84	191	82	72	429	347
<b>Total</b>	<b>299</b>	<b>1,513</b>	<b>534</b>	<b>107</b>	<b>2,453</b>	<b>1,919</b>

Source: Central Return LA2, DHSSPS (NI)

## 12. Looked After Children, by Placement and Age (2003)

Age	Placement					Total	Total excluding Placed with Family
	Residential Care	Foster Care	Placed with Family	Other	Total		
Under 1	4	48	6	2	60	54	
1-4	7	268	88	1	364	276	
5-11	34	660	175	3	872	697	
12-15	161	423	138	16	738	600	
16 and Over	90	178	87	57	412	325	
<b>Total</b>	<b>296</b>	<b>1,577</b>	<b>494</b>	<b>79</b>	<b>2,446</b>	<b>1,952</b>	

Source: Central Return LA2, DHSSPS (NI)

## 13. Looked After Children, by Placement and Age (2004)

Age	Placement					Total	Total excluding Placed with Family
	Residential Care	Foster Care	Placed with Family	Other	Total		
Under 1	5	58	11	1	75	64	
1-4	13	257	94	2	366	272	
5-11	31	630	214	6	881	667	
12-15	174	434	146	21	775	629	
16 and Over	102	150	96	65	413	317	
<b>Total</b>	<b>325</b>	<b>1,529</b>	<b>561</b>	<b>95</b>	<b>2,510</b>	<b>1,949</b>	

Source: Central Return LA2, DHSSPS (NI)

## 14. Looked After Children, by Placement and Age (2005)

Age	Placement					Total	Total excluding Placed with Family
	Residential Care	Foster Care	Placed with Family	Other	Total		
Under 1	0	44	16	1	61	45	
1-4	6	215	123	3	347	224	
5-11	36	580	242	10	868	626	
12-15	177	447	174	20	818	644	
16 and Over	98	146	119	74	437	318	
<b>Total</b>	<b>317</b>	<b>1,432</b>	<b>674</b>	<b>108</b>	<b>2,531</b>	<b>1,857</b>	

Source: Central Return LA2, DHSSPS (NI)

### 15. Looked After Children, by Placement and Age (2006)

Age	Placement					Total	Total excluding Placed with Family
	Residential Care	Foster Care	Placed with Family	Other	Total		
<b>Total</b>	<b>321</b>	<b>1,522</b>	<b>486</b>	<b>107</b>	<b>2,436</b>	<b>1,950</b>	

Source: Central Return LA2, DHSSPS (NI)

Notes: Information on the type of placement of looked after children is collected according to the categories of residential care, foster care, placed with family, and other types of placement. "Placed with family" is not synonymous with "Placed with parents", as some children who are placed with family may be placed with relatives who are not their parents. Figures refer to the position at 31 March each year. Figures for the year ending 31 March 2006 cannot be provided according to age.

### 16. Looked After Children, by Placement and Duration of Placement (2002)

Duration	Placement					Total	Total excluding Placed with Family
	Residential Care	Foster Care	Placed with Family	Other	Total		
Under 2 weeks	16	106	70	3	195	125	
2 weeks - <6 weeks	18	83	77	14	192	115	
6 weeks - <3 months	37	110	50	10	207	157	
3 months - <6 months	48	139	61	22	270	209	
6 months - <1 year	79	221	73	31	404	331	
1 year - < 2 years	56	211	93	15	375	282	
2 years - < 3 years	24	116	30	5	175	145	
3 years - < 5 years	16	164	32	5	217	185	
5 years - < 10 years	5	215	46	1	267	221	
10+ years	0	148	2	1	151	149	
<b>Total</b>	<b>299</b>	<b>1,513</b>	<b>534</b>	<b>107</b>	<b>2,453</b>	<b>1,919</b>	

Source: Central Return LA4, DHSSPS (NI)

### 17. Looked After Children, by Placement and Duration of Placement (2003)

Duration	Placement					Total excluding Placed with Family
	Residential Care	Foster Care	Placed with Family	Other	Total	
Under 2 weeks	14	94	69	7	184	115
2 weeks - <6 weeks	25	96	50	6	177	127
6 weeks - <3 months	26	122	49	12	209	160
3 months - <6 months	49	152	61	12	274	213
6 months - <1 year	65	242	66	11	384	318
1 year - < 2 years	72	237	70	19	398	328
2 years - < 3 years	28	156	44	6	234	190
3 years - < 5 years	11	158	38	4	211	173
5 years - < 10 years	6	207	42	1	256	214
10+ years	0	113	5	1	119	114
<b>Total</b>	<b>296</b>	<b>1,577</b>	<b>494</b>	<b>79</b>	<b>2,446</b>	<b>1,952</b>

Source: Central Return LA4, DHSSPS (NI)

### 18. Looked After Children, by Placement and Duration of Placement (2004)

Duration	Placement					Total excluding Placed with Family
	Residential Care	Foster Care	Placed with Family	Other	Total	
Under 2 weeks	11	99	63	8	181	118
2 weeks - <6 weeks	28	113	56	12	209	153
6 weeks - <3 months	45	127	42	11	225	183
3 months - <6 months	40	165	70	13	288	218
6 months - <1 year	73	236	124	29	462	338
1 year - < 2 years	76	232	82	16	406	324
2 years - < 3 years	29	121	44	2	196	152
3 years - < 5 years	17	160	48	2	227	179
5 years - < 10 years	6	175	28	2	211	183
10+ years	0	101	4	0	105	101
<b>Total</b>	<b>325</b>	<b>1,529</b>	<b>561</b>	<b>95</b>	<b>2,510</b>	<b>1,949</b>

Source: Central Return LA4, DHSSPS (NI)

## 19. Looked After Children, by Placement and Duration of Placement (2005)

Duration	Placement					Total	Total excluding Placed with Family
	Residential Care	Foster Care	Placed with Family	Other	Total		
Under 2 weeks	11	99	65	4	179	114	
2 weeks - <6 weeks	47	119	66	11	243	177	
6 weeks - <3 months	31	118	51	13	213	162	
3 months - <6 months	40	145	82	19	286	204	
6 months - <1 year	49	198	97	26	370	273	
1 year - < 2 years	80	231	122	27	460	338	
2 years - < 3 years	33	142	61	5	241	180	
3 years - < 5 years	18	132	78	2	230	152	
5 years - < 10 years	7	164	35	1	207	172	
10+ years	1	84	17	0	102	85	
<b>Total</b>	<b>317</b>	<b>1,432</b>	<b>674</b>	<b>108</b>	<b>2,531</b>	<b>1,857</b>	

Source: Central Return LA4, DHSSPS (NI)

## 20. Looked After Children, by Placement and Duration of Placement (2006)

Duration	Placement					Total	Total excluding Placed with Family
	Residential Care	Foster Care	Placed with Family	Other	Total		
<b>Total</b>	<b>321</b>	<b>1,522</b>	<b>486</b>	<b>107</b>	<b>2,436</b>	<b>1,950</b>	

Source: Central Return LA4, DHSSPS (NI)

Notes: Information on the type of placement of looked after children is collected according to the categories of residential care, foster care, placed with family, and other types of placement. "Placed with family" is not synonymous with "Placed with parents", as some children who are placed with family may be placed with relatives who are not their parents. Figures refer to the position at 31 March each year. Duration refers to the length of time the child has been continuously looked after in that placement at 31 March. Figures for the year ending 31 March 2006 cannot be provided according to duration of placement. Figures for all years are not available according to age. Information on reviews completed for looked after children ceasing placements is not collected.

## 21. Looked After Children with Legal Status as "Court Orders", by Age

Age	Year Ending 31 March:				
	2002	2003	2004	2005	2006
Under 1	39	38	37	31	33
1-4	233	267	260	246	228
5-11	595	641	621	618	601
12-15	506	515	541	548	503
16 and Over	305	294	289	280	297
<b>Total</b>	<b>1,678</b>	<b>1,755</b>	<b>1,748</b>	<b>1,723</b>	<b>1,662</b>

Source: Central Return LA1, DHSSPS (NI)

Notes: Information on children looked after with legal status as "Court Orders" includes the following categories: Police protection in Board/Trust accommodation (Article 23 of the Children (Northern Ireland) Order 1995), Child Assessment Order (Article 62), Emergency Protection Order (Article 63 & 64), Interim Care Order (Article 57), Care Order (Article 50 or 59), Deemed Care Order (Paras. 11 & 30 of Schedule 8), Freed for adoption and looked after by Board/Trust. Figures refer to the position at 31 March each year. This information is not available according to placement.

## 22. Discharges of Looked After Children, by Age

Age	Year Ending 31 March:				
	2002	2003	2004	2005	2006
Under 1	43	53	61	35	23
1-4	263	209	191	146	151
5-11	346	328	290	222	158
12-15	248	254	233	251	208
16 and Over	246	224	255	241	292
<b>Total</b>	<b>1,146</b>	<b>1,068</b>	<b>1,030</b>	<b>895</b>	<b>832</b>

Source: Central Return LA8, DHSSPS (NI)

Notes: Information on discharges of looked after children is not available according to the destination of discharge. Figures refer to the position during the year ending 31 March.

## 23. Adoptions 2004 – 2005

Adoptions	2004 - 2005
All adoptions	160
Intercountry adoptions	8

## 24. Child abduction

### Child abduction by parent etc.\*

	<u>2003/04</u>		<u>2004/05</u>		<u>2005/06</u>	
	Attempt/ Conspiracy Offences	Substantive Offences	Attempt/ Conspiracy Offences	Substantive Offences	Attempt/ Conspiracy Offences	Substantive Offences
Total offences recorded	0	0	0	0	0	2
Total offences cleared	0	0	0	0	0	0
<b>Cleared by means of:</b>						
Charge / Summons	0	0	0	0	0	0
No prosecution directed	0	0	0	0	0	0

Source: PSNI Statistics & Research Branch

\* This includes a parent, guardian, or person with either a residence order or custody over the child.

## 25. Child abduction by other person

	<u>2003/04</u>		<u>2004/05</u>		<u>2005/06</u>	
	Attempt/ Conspiracy Offences	Substantive Offences	Attempt/ Conspiracy Offences	Substantive Offences	Attempt/ Conspiracy Offences	Substantive Offences
Total offences recorded	36	1	42	1	53	9
Total offences cleared	0	1	5	0	2	6
<b>Cleared by means of:</b>						
Charge / Summons	0	1	1	0	1	6
No prosecution directed	0	0	4	0	1	0

Source: PSNI Statistics & Research Branch

26. STATISTICS RELATING TO THE HAGUE CONVENTION OF 25 OCTOBER 1980  
ON THE CIVIL ASPECTS OF INTERNATIONAL CHILD ABDUCTION

FOR THE NORTHERN IRELAND CENTRAL AUTHORITY

JAN 2006 TO DECEMBER 2006 – NUMBER OF CASES

INCOMING / OUTGOING CASES	COUNTRY CONCERNED	NUMBER OF CHILDREN	RELATIONSHIP OF ABDUCTOR TO CHILD	OUTCOME
<i>Incoming **</i>	<i>USA</i>	<i>1 boy and 1 girl</i>	<i>Mother</i>	<i>File closed</i>
<i>Outgoing **</i>	<i>Republic of Ireland</i>	<i>1 girl</i>	<i>Mother</i>	<i>Voluntary return. File closed</i>
<i>Incoming **</i>	<i>Chile</i>	<i>1 girl</i>	<i>Grandmother</i>	<i>Non-return order. File closed.</i>
<i>Incoming **</i>	<i>Australia</i>	<i>2 boys</i>	<i>Mother</i>	<i>Return order. File closed.</i>
<i>Incoming **</i>	<i>Australia</i>	<i>1 girl</i>	<i>Mother</i>	<i>Non return order. File closed.</i>
<i>Incoming **</i>	<i>USA</i>	<i>1 girl</i>	<i>Grandmother</i>	<i>File closed</i>
Incoming	Republic of Ireland	3 boys	Mother	Voluntary return. File closed
Outgoing	Cyprus	2 boys	Mother	File closed
Outgoing	Republic of Ireland	1 boy	Mother	Pending
Incoming	Latvia	1 girl	Mother	Voluntary return. File closed
Incoming	Australia	1 boy	Mother	Case transferred to English CA. File closed.
Outgoing	Portugal	1 girl	Grandmother	Pending
Incoming	USA	2 boys and 1 girl	Mother	Return order. File closed
Outgoing	Norway	1 girl	Father	Pending
Outgoing	Portugal	1 boy	Father	Child Returned File closed
Outgoing	Republic of Ireland	3 boys	Mother	Pending
Outgoing	Portugal	1 girl	Mother	Pending
Incoming	Germany	1 girl	Mother	Pending
Incoming	Portugal	1 boy	Father	Pending
Incoming	Republic of Ireland	1 boy	Mother	Pending
Outgoing	Republic of Ireland	1 boy	Mother	Pending
Outgoing	Republic of Ireland	1 boy	Mother	Pending

\*\* Cases that were received in 2005, but the outcome was still pending in Jan 2006.

27. Children on the Child Protection Register, by Category of Abuse  
1999–2005

Year	Neglect, Physical and Sexual Abuse	Neglect and Physical Abuse	Neglect and Sexual Abuse	Physical and Sexual Abuse	Neglect Only	Physical Abuse Only	Sexual Abuse Only	Emotional Abuse Only	All Categories of Abuse
1999	10	75	35	28	557	306	253	199	1463
2000	6	112	28	24	539	289	238	244	1480
2001	13	87	28	35	526	340	189	196	1414
2002	11	104	29	32	625	359	159	212	1531
2003	9	119	23	28	651	376	178	224	1608
2004	11	122	30	31	509	330	164	220	1417
2005	15	153	49	30	554	316	234	242	1593
2006	18	142	46	39	582	323	226	263	1639

Source: Central Return CPR2, DHSSPS

Note: Information refers to the position at 31 March each year

## BASIC HEALTH AND WELFARE

### Western Health and Social Services Board

28. Children with a disability (Module V) WHSSB Child Health Surveillance System –  
Analysis by Council Area

Council Area	No on Register	Population 0-19	Rate per 1000
Fermanagh	560	17,291	32.4
Derry	751	35,089	21.4
Limavady	179	10,469	17.1
Omagh	354	15,479	22.9
Strabane	304	12,048	25.2
<b>Total</b>	<b>2148</b>	<b>90376</b>	<b>23.8</b>

### Southern Health and Social Services Board

29. Children/Young People with a disability (Module V) by Council Area - March 2005

Council Area	Number on Register	Population 0 - 17	Rate per 1000
Armagh	581	15074	38.5
Dungannon	566	14185	39.9
Craigavon	682	21784	31.3
Banbridge	361	10522	34.3
Newry & Mourne	976	27731	35.1
<b>Total</b>	<b>3166</b>	<b>89296</b>	<b>35.4</b>

NB Tables 28 and 29 only provide numbers from two health boards areas – they are not available for all the health boards

30. Rates of infant and under-five child mortality.

Registration Year	Total Number Deaths	Infant Deaths (Under 1 year old)	% of Total Deaths	Deaths (1-4 year olds)	% of Total Deaths	Total Deaths (0-4 year olds)	% of Total Deaths
1999	15663	148	0.94%	32	0.20%	180	1.14%
2000	14903	109	0.73%	23	0.15%	132	0.88%
2001	14513	134	0.92%	14	0.09%	148	1.01%
2002	14586	100	0.68%	27	0.18%	127	0.87%
2003	14462	115	0.79%	18	0.12%	133	0.91%
2004	14354	122	0.84%	22	0.15%	144	1.00%
2005	14224	140	0.98%	16	0.11%	156	1.09%

Source: Registrar General's Annual Report

### 31. Proportion of children with a low birth weight

Calendar year	Birthweight <2500grams	% of Total	Total
2001	1379	6.3%	21905
2002	1430	6.63%	21567
2003	1348	6.17%	21838
2004	1366	6.08%	22461
2005*	1373	6.12%	22435

Source: Child Health System (4 Board Areas)

Figures are the number of total births (live and still; singleton and multiple) to NI residents by birthweight. A low birthweight baby is regarded as weighing less than 2,500 grams.

\*2005 figures are provisional

### 32. Unfit dwellings

NIHE 2004 Interim House Condition Survey	
Unfit dwellings due to the absence of suitably located water closet	12,300
Unfit due to inadequate water supply	4,700

### 33. Percentage of one-year olds fully immunised (at quarter ending March 2006)

Immunised against:	Percentage
Diphtheria	95.7%
Polio	95.7%
Tetanus	95.7%
Pertussis	95.7%
Measles	-
Tuberculosis	0.9%

Source: Communicable Disease Surveillance Centre and DHSSPS

Information refers to the percentage of children immunised before their first birthday, which fell in the quarter ending March 2006.

Information on tuberculosis is for the year ending March 2006. Children are not now routinely immunised against tuberculosis, as the immunisation programme now focuses on specific target groups.

Children are normally immunised against measles (MMR immunisation) after their first birthday, therefore information on children immunised before their first birthday is meaningless.

#### 34. Maternal deaths by registration 1999-2005

1999	2000	2001	2002	2003	2004	2005
0	0	2	1	3	1	1

Source: Registrar General's Annual Report

#### 35. Proportion of children born in hospital by registration year

Registration Year	Born in hospital	Other	Total	% born in hospital
1999	22,906	51	22,957	99.8%
2000	21,460	52	21,512	99.8%
2001	21,927	35	21,962	99.8%
2002	21,340	45	21,385	99.8%
2003	21,574	74	21,648	99.7%
2004	22,233	85	22,318	99.6%
2005	22,247	81	22,328	99.6%

Source: Registrar General's Annual Report

#### 36. Number of HIV-infected individuals (diagnoses up to September 2006)

Age	Number
Under 15	6
15-19	10

Source: Northern Ireland HIV Diagnoses Surveillance Tables (Health Protection Agency Centre for Infections/ Institute of Child Health).

Notes:

The figures refer to individuals resident in Northern Ireland at the time of diagnosis. Age refers to the age at time of diagnosis.

Figures may include some records of the same individuals which are unmatchable because of the information supplied (i.e. there may be an element of double counting), and individuals who left the country at some date after diagnosis (i.e. there may be some persons included who are no longer resident in Northern Ireland).

### 37. Number of resident live births to mothers under 18

Year	1999	2000	2001	2002	2003	2004	2005
Resident Births	562	532	449	451	421	444	430

### 38. Number of new diagnoses of sexually transmitted infections 2005

New diagnoses of:	Numbers			Rates per 100,000 population		
	Total (All Ages)	Age under 16	Age 16-19	Total (All Ages)	Age under 16	Age 16-19
Syphilis	38	-	-	2	-	-
Chlamydia	1631	9	290	95	12	273
Gonorrhoea	182	-	17	11	-	16
Genital Herpes	238	-	45	14	-	42
Genital Warts (first attack)	2306	6	370	134	8	349

Source: HIV and STI Surveillance in Northern Ireland: 2006 (Communicable Disease Surveillance Centre (Northern Ireland))

Notes:

Figures on the number of people affected are not available. Information on new diagnoses each year is available, and is shown in the table above for the year 2005.

Where numbers are too small for publication, as this would breach confidentiality, this is indicated by " - ".

Rates are expressed per 100,000 of the relevant age group.

39. Number of clients on the Drug Misuse Database aged 17 and under at the date of first face to face contact

<b>2001/02</b>	<b>2002/03</b>	<b>2003/04</b>	<b>2004/05</b>	<b>2005/06</b>
146	285	318	323	314

Please note that this refers only to under 18's who have given consent for their details to be included

## EDUCATION, LEISURE AND CULTURAL ACTIVITIES

### 40. Children with disabilities in Education

This year for the first time the Department of Education is collecting data specifically on whether each pupil has a disability. However a reasonable proxy for this is the number of children with special educational needs (SEN).

	2002/03	2003/04	2004/05	2005/06
SEN pupils in mainstream schools	40,314	44,173	46,689	47,869
Pupils in special schools	4,879	4,834	4,669	4,599
All SEN pupils	45,193	49,007	51,358	52,468

### 41. Literacy rates of children

Literacy rates as such are not measured. The percentage of children achieving the 'expected level' in English at the end of Key Stage 2 (the end of primary school) and at Key Stage 3 (age 14) are shown in the table below.

	1999/2000	2000/01	2001/02	2002/03	2003/04	2004/05
Key Stage 2 assessments	71.5	72.8	73.9	75.6	Not available*	76.6
Key Stage 3 tests	68.7	71.8	72.9	72.2	72.1	73.3

\* as a result of industrial action by teachers

### 42. Participation in full-time education and vocational training in schools and FE colleges by 16 and 17 year olds

In Northern Ireland school attendance is compulsory for young people aged 4 years and 2 months or over at 1 September of the school year following their last birthday until the end of the school year following their 16<sup>th</sup> birthday.

Enrolment rates are only calculated for 16 and 17 year olds. The figures include young people in further education colleges.

1999/2000	2000/01	2001/02	2002/03	2003/04	2004/05	2005/06
69.5%	71.0%	71.8%	72.0%	74.3%	78.4%	79.7%

Source: Department of Education, NI

Data on 16 and 17 year olds in vocational training outside the further education sector are only available for 2005/06. Including these young people in the participation rate raises it from 79.7% to 86.6%

#### 43. Percentage attendance rates for schools

	Primary	Secondary
1999/00	94.7	92.5
2000/01	94.8	92.3
2001/02	95.0	92.4
2002/03	94.4	92.4
2003/04	94.8	92.5
2004/05	94.8	92.6

Source: Department of Education, NI

#### 44. Pupil: teacher ratios for NI, from 2003/4-2005/6<sup>1</sup>

	2003/04	2004/05	2005/06
Primary	20.0	20.0	20.5
Secondary	14.6	14.3	14.4

Source: Department of Education, NI

For educational purposes, Northern Ireland is divided into five areas; one of these is urban and the other four are predominantly rural. There is little difference in the pupil:teacher ratios across the five areas

\*Figures for years prior to 2003/04 are calculated on a different basis and thus not comparable with those from 2003/04 onwards

## Percentage of children in the non-formal education system

The proportion of children of secondary school age in Education Otherwise than at School (EOTAS) is shown in the table below. The proportion of children of primary school age in EOTAS is negligible.

2001/02	2002/03	2003/04	2004/05
0.4%	0.6%	0.6%	0.6%

### 45. Percentage of children who attend preschool education

One year of funded pre-school education is provided in the year before compulsory education for every child whose parents wish it. The table below shows the proportion of children in pre-school education expressed as a percentage of the number of children in Year 1 of primary school the following year.

1999/2000	2000/01	2001/02	2002/03	2003/04	2004/05	2005/06
68.3%	74.4%	85.8%	92.1%	95.8%	97.4%	N/A as yet

Source: Department of Education, NI

### 46. Suspensions and expulsions from school broken down by gender

#### Pupils suspended in the 2002/03 school year broken down by gender

	Male	Female	Total
Number of Pupils	4,245	1,037	5,282
% of total school population	2.73%	0.70%	1.74%

**Note:** The percentage comparators relate to the whole school population drawn from NI census.

#### Pupils expelled in the 2002/03 school year broken down by gender

Gender	Number of pupils
Male	54
Female	16
<b>Total</b>	<b>70</b>

**Pupils suspended in the 2003/04 school year broken down by gender.**

	Male	Female	Total
Number of Pupils	4,387	1,097	5,484
% of total school population	1.51%	0.38%	1.89%

**Note:** The percentage comparators relate to the whole school population drawn from the NI school census.

**Pupils expelled in the 2003/04 school year broken down by gender**

Gender	Number of pupils
Male	62
Female	9
<b>Total</b>	<b>71</b>

**Pupils suspended in the 2004/05 school year broken down by gender.**

	Gender		
	Male	Female	Total
Number of Pupils	4,039	1,105	5,414
% of total school population	1.48%	0.30%	1.86%

**Note:** The percentage comparators relate to all pupils undertaking key stages 1-4 in primary, secondary and special schools.

**Pupils expelled in the 2004/05 school year broken down by gender**

Gender	Number of pupils
Male	52
Female	11
<b>Total</b>	<b>63</b>

## SPECIAL PROTECTION MEASURES

### 47. Number under 18 years of age convicted of an offence and percentage<sup>1</sup> given each disposal 1999-2004

	1999		2000		2001		2002		2003		2004	
	No	% Given the disposal	No	%	No	%	No	%	No	%	No	%
Immediate custody	171	11	186	11	147	9	151	9	139	9	152	10
Suspended custody	67	4	55	3	37	2	48	3	64	4	85	5
Supervision in the community	427	27	510	30	473	29	517	31	490	31	497	31
Fine	484	31	464	27	429	26	439	26	391	25	401	25
Conditional discharge	334	21	383	22	424	26	394	24	367	23	330	21
Other	103	6	123	7	109	7	118	7	137	9	102	6
Youth Conference Order <sup>2</sup>	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	21	1
<b>Total</b>	<b>1,586</b>	<b>100</b>	<b>1,721</b>	<b>100</b>	<b>1,619</b>	<b>100</b>	<b>1,667</b>	<b>100</b>	<b>1,588</b>	<b>100</b>	<b>1,588</b>	<b>100</b>

Source: NIO Statistics & Research Branch

1. Percentages may not sum to 100 due to rounding.

2. Youth Conference Orders were introduced under the Justice (Northern Ireland) Act 2002.

2004 is the first year for which figures are available. The figure refers to the number of youth conference orders completed in the year.

3. Data are collated on the principal offence rule, thus only the most serious offence with which an offender is charged is included.

48. The number of under 18s starting new orders with PBNI for the years 2003, 2004 and 2005

Order Type	2003	2004	2005*
Probation Orders	263	223	161
Community Service Order	90	90	68
Combination Order	25	21	27
Custody Probation Order	10	12	15
Juvenile Justice Centre Order	29	32	34
GB Transfer Licence	1	1	0
Attendance Centre Order	0	0	1
<b>Total</b>	<b>418</b>	<b>379</b>	<b>306</b>

Source: Probation Board Northern Ireland

\* Due to different recording mechanism figures for 2005 are not directly comparable to previous years.

49. Admissions to the Juvenile Justice Centre from 1999-2006 for those children either held under the Police and Criminal Evidence (Northern Ireland) Order 1989 (PACE) or on pretrial detention on remand.

Status	Admissions					2004-05	2005-06
	1999-00	2000-01	2001-02	2002-03	2003-04		
P.A.C.E.	194	177	198	212	184	186	134
Remand	254	240	235	230	175	206	223
<b>Total</b>	<b>448</b>	<b>417</b>	<b>433</b>	<b>442</b>	<b>359</b>	<b>392</b>	<b>357</b>

Source: NIO Statistics & Research Branch

Children may be admitted to custody on a number of separate occasions, therefore the number of children admitted to custody will be significantly lower than the total number of admissions.

50. Average population figures for the Juvenile Justice Centre and the Young Offenders Centre for those held under PACE or on remand

Year	PACE	JJC Remand	YOC Remand
2003	1	14	28
2004	1	15	24
2005	1	18	25

Source: NIO Statistics & Research Branch

51. Average populations for JJC and YOC

*Juvenile Justice Centre:*

Year	PACE	Remand	Sentenced	Total
2003	0.75	14	8.7	23.4
2004	0.5	14.8	8.1	23.4
2005	0.5	17.8	8.4	26.7

Source: NIO Statistics & Research Branch

*Young Offenders Centre:*

Year	Remand	Sentenced	Total
2003	28	11	39
2004	24	13	37
2005	25	13	38

52. Average population of under 18's in YOC

Year	Remand	Sentenced	Total
1999	18	20	37
2000	14	16	30
2001	13	7	21
2002	19	10	29
2003	28	11	39
2004	24	13	37
2005	25	13	38

Source: NIO Statistics & Research Branch

53. Average population of under 18's not in YOC

Year	Remand	Sentenced	Total
1999	2	2	4
2000	1	1	2
2001	1	1	2
2002	1	1	2
2003	1	1	2
2004	3	2	5
2005	1	2	3

Source: NIO Statistics & Research Branch

NB: Components may not sum to totals due to rounding

54. Number under 18 years of age convicted of an offence, number sentenced to immediate custody and the average sentence length<sup>1</sup> in months 1999-2004

	Number convicted of an offence	Number sentenced to immediate custody	Average sentence length (months)
1999 <sup>2</sup>	1,586	171	8
2000	1,721	186	7
2001	1,619	147	5
2002	1,667	151	6
2003	1,588	139	7
2004	1,588	152	6

Source : NIO Statistics & Research Branch

1. Average sentence length is based on those sentenced to prison, YOC or custody probation order and excludes juvenile justice centre orders.

2. The Juvenile Justice Centre Order replaced the training school order from 31 January 1999. Average sentence length for 1999 excludes training school orders.

3. Data are collated on the principal offence rule, thus only the most serious offence with which an offender is charged is included.

## Summary of comments from NGO sector

A draft of the Northern Ireland input to the United Kingdom report was distributed to Children's organisations in the NGO sector. Organisations were then invited to attend consultation sessions which took place over two days in February 2007. These involved a series of 6 focussed two-hour roundtable discussions attended by representatives of the Children and Young People's Unit, OFMDFM and other relevant Departmental officials.

The purpose of the consultation exercises was three fold and provided those involved with an opportunity to:

- Comment on the accuracy of the information contained in the draft;
- Identify information gaps in the draft; and
- Engage in dialogue with Government in relation to future action on achievement of children's rights in line with the UNCRC

A consultation meeting was also held with representatives of the Southern Area Children and Young People's Committee. Those views are also summarised here.

The Children and Young People's Unit acknowledged that, due to unavoidable delays, NGOs had less time to study the draft report than had been planned. Therefore, organisations were offered a further opportunity to submit written comments.

Organisations attending the consultations included:

Children in Northern Ireland	Include Youth	Children's Law Centre / Save the Children
Disability Action	Royal National Institute for the Deaf	Northern Ireland Human Rights Commission
Northern Ireland Association for the Care and Resettlement of Offenders	Mencap	Playboard
Parents Advice Centre	An Munia Tobar	NI Fostering Network
Newstart Education Centre	NSPCC	British Association for Adoption and Fostering

Departments represented at the meetings included:

Children and Young People's Unit- OFMDFM	Northern Ireland Office
Department for Employment and Learning	Department of Health, Social Services and Public Safety
Department of Culture, Arts and Leisure	Northern Ireland Court Service
Office of Law Reform – Department of Finance and Personnel	Department of Education

The round table discussions were characterised by lively debate, which allowed for some clarification of the issues raised. Inaccuracies highlighted were amended in a further draft of the report and information to address some gaps has been added.

In relation to a number of policy matters there was divergence between the views of the NGO sector and the Government's position.

Representatives of the NGO sector welcomed a number of broad areas of progress in recent years, mentioning in particular:

- The establishment of the Children and Young People's Unit;
- The creation of the office of the Commissioner for Children and Young People for Northern Ireland (NICCY);
- The additional funding under the Children and Young People's Funding Package;
- The work of the Children Matter taskforce;
- Legislation to include 17 year olds in the Juvenile Justice system;
- The development of the Participation Network;
- The production of children and young people's versions of the 10 year strategy; and
- The new Schools Entitlement Framework.

Concern was expressed by representatives of the NGO sector in relation to:

- New legislation in relation to physical punishment in the home not protecting children to the extent required by the UNCRC;
- A lack of research and policy focus in relation to children with disability, particularly those with learning and communication difficulties. Also the absence of advocacy for these children;
- The use of police technologies in relation to those under 18 years old;
- The introduction of Anti-Social Behaviour Orders;
- The need for more specifically UNCRC focused, quality controlled training for the judiciary and other relevant professionals dealing with children;
- No provision for separate legal representation for children in private family law proceedings;
- The transportation of asylum seeking children to holding centres in Great Britain;
- The discriminatory impact of the minimum wage legislation on children;
- The potential negative impact of the Unauthorised Encampments (Northern Ireland) Order 2005 on Traveller children;
- Lack of effective application of Section 75 legislation e.g. failure of NIO to carry out Equality Impact Assessment before introducing ASBOs / schools exempt from Section 75 duties;
- The persistence of education inequalities for Traveller children – need for a specific strategy for Traveller Education;
- The lack of funding for those in Education Other Than At School (EOTAS) and Alternative Education Projects (AEP) provision and need for greater co-operation from mainstream schools and access to;
- The general lack of child/youth accessible versions of Government policies / consultations; and
- The faith of non-Christian children is not reflected in the core curriculum.
- DE has no strategy or action plan to implement the cultural rights of children as set out in the UNCRC.
- No training of teachers in relation to Ulster-Scots language and culture.

The Children and Young People's Unit acknowledges that the mechanism for further dialogue on the issues raised is the 10 year strategy for Children and Young People. This will be achieved through the structures put in place to monitor the achievement of the Strategy.

## Summary of young people's views

### CONSULTATION

- 132 children and young people - 63 female, 69 male - aged 4-25, were consulted in Armagh, Belfast and Derry.
- They included children/ young people with special educational needs; young people in conflict with the law; children/ young people with disabilities; lesbian, gay, bi-sexual or trans-sexual young people; children/ young people from minority ethnic communities; Travellers; care leavers; young parents; young people in an alternative education project.
- Each group was involved in two meetings. First, to discuss what rights they thought children/ young people should have and whether these are being promoted and protected. Second, to share their views and messages for Government with civil servants.

### KNOWLEDGE ABOUT THE UNCRC

- A few groups were aware of the UNCRC and had been active in lobbying for the implementation of children's/ young people's rights. But most had little knowledge about children's rights or international standards.

### GENERAL PRINCIPLES

- Equal treatment was a key issue. They noted *discrimination* based on: age, gender (being a boy or girl), sexuality (being gay, lesbian or bi-sexual), disability and being in trouble with the law.
- Some who had experienced being in care thought that professionals did not always act in the *best interests of the child*.
- The right to healthy *food, water and shelter* was considered important in discussion about survival and development. While most felt they had access to food, poverty was recognised as a barrier for others. They also noted the importance of a *clean environment*.
- Young people raised the risk of self harm or suicide among peers when considering the *right to life*.
- They noted the impact of *negative assumptions* about all children/ young people as the result of the actions of a few.
- They did not believe that children and young people were *treated with respect* or *listened to* by adults, despite this being particularly important in protecting them from harm.
- *Not being involved in decisions* was a major issue (eg in courts, in the development of legislation, in decisions by social workers or health professionals, and in school).
- Young people felt excluded through not having *voting rights* and suggested a lower voting age, in line with other social responsibilities.

### CIVIL RIGHTS AND FREEDOMS

- Most children and young people considered they had the right to *freedom of expression* in terms of dress and how they presented themselves.
- They defined *freedom of speech* as the right 'to speak your mind' - a right not experienced by children and young people.
- Although many young people felt able to practise their own *religion or culture*, others did not. Sectarianism, racism and being defined as 'non-Christian' were concerns.
- Some argued that the right of *peaceful assembly* was not enjoyed by specific groups, including: gay and lesbian young people; Travellers; and groups of young people on the streets. Restrictions were placed on young people who had been in trouble with the law (eg curfews).

- Young people were aware that *access to information* is affected by literacy, knowing where to find information, and how information is provided.
- They thought that *information about drugs, pregnancy and alcohol* should be provided in primary schools and outside school (eg in clubs and youth centres).
- Lack of *privacy* was an issue for young people in care and for care leavers living in hostels. Those who had been in police custody described being observed but thought this was acceptable to prevent injury or suicide. Young people who had been in child or youth custody (eg in the Juvenile Justice Centre or Young Offenders Centre) described lack of privacy throughout the day and night and during visiting.

## FAMILY ENVIRONMENT AND ALTERNATIVE CARE

- Children considered *having a family* to be an important right. They recognised that not everyone has this right (eg those who are looked after or homeless).
- Some of those who had experienced *being in care* talked about sudden removal and separation from their parents and siblings.
- Those who had been in care thought *foster care* was preferable to residential care, because it offered a more stable 'family' environment.
- *Residential care* was generally criticised, especially the harsh responses by some care staff to young people's actions or behaviour (including police involvement for behaviour that would be dealt with by parents in a family home).
- Appropriate *accommodation for care leavers* was a problem. Young people suggested that housing associations should have a better points system for accommodating young people who have been in care.
- '*Being safe*' and '*Protection from harm*' were noted as important rights by many children. Young people mentioned the difficulties some might have in disclosing experiences of harm or abuse, and finding the right person to tell.
- *Support for young people* was an important issue. Young people believed that 14-16 year olds were likely to be involved in risky behaviour (eg joy-riding, staying out all night, taking drugs) and needed support. Those whose families were not supportive required help (eg youth workers or Educational Resource Centres where teachers are less formal).
- The effects of *physical punishment* by parents or carers were noted. Suggested responses included parenting courses and counselling.
- Young people were aware that some *parents needed extra support* (eg parents of young people who identify as lesbian, gay, bi-sexual or trans-sexual; parents who are substance users or experiencing domestic violence; parents of young people in trouble with the law; parents of children and young people with disabilities).

## EDUCATION, PLAY AND LEISURE

- Children and young people considered *education for all* to be important.
- *School exclusion* and '*dropping-out*' were significant issues for some young people. Those excluded from school felt they were unable to enjoy their right to education.
- A number of *young people in conflict with the law* had not attended school for some time. Their reasons included: frustration, illiteracy, lack of support, not liking school routine.
- Many young people did not know how to find out about *training and vocational education* or employment opportunities, especially after leaving school. Provision for 16-18 year olds was a common issue. Access to vocational training and employment was particularly difficult for young people with disabilities who considered that mainstream training should be adapted, with early assessment of their needs and support requirements to ensure they had opportunities to achieve meaningful qualifications.
- Although young people have the right to *higher education*, some were aware that many cannot afford to go to college or university.

- Young people considered that education should be *relevant*, including: citizenship, financial issues, sex education, drug awareness, life skills, Irish/ Northern Irish history.
- Developing each child/ young person to their fullest potential was not thought to be achieved by schools because they were not *meeting individual needs*.
- Young people suggested that schools should have *specialist teachers* to support children with special needs and to provide counselling. All schools should give *additional support* to children and young people requiring help with reading, writing or other work.
- Some children and young people did not think their schools had enough *resources* (eg things to do in the playground, equipment, furniture).
- *Approaches to teaching and learning* were mentioned by children and young people, including: making learning 'fun' and exciting, having lessons outside, learning through practical activities, school trips.
- Young people discussed *sex and relationship education* (SRE). They were concerned that sexuality was not openly discussed in schools and that sexual health information was restricted, particularly for lesbian and gay young people who were not able to access relevant websites from schools or libraries.
- *Bullying* in school was an issue raised by half the groups consulted. Anti-bullying policies were not considered to work well in practice – teachers did not take reports of bullying seriously. They felt that homophobia needs to be explicitly included in school anti-bullying policies.
- The emphasis in *Religious Education* (RE) was on Christianity, with limited study of other religions. Those who were not Christian felt singled out and defined as marginal.
- The need for more *integrated schools* was raised by some young people who noted sectarianism as an issue in school. Suggested responses included educating parents and changing attitudes from a young age.
- The importance of *play and leisure* was noted by children and young people. For Travellers, playing outside was especially important.
- Most children and young people believed that they did not enjoy the right to *safe play* in their communities. There were few places to play and paramilitaries stopped them from being in streets or parks.
- Many wanted *more youth clubs* (open after 10.30pm, at weekends, during holidays and providing activities for 17-25 year olds), *more parks and open spaces* and *community-based activities* (eg trips to cinemas, bowling, outdoor activities, skate-parks or drop-ins).
- Children and young people wanted *places to go with friends* and *having fun* was particularly important for children.
- *Inclusive activities for disabled children and young people* were rare. Those with disabilities were dependent on parents or friends to take them out or to social events. Children and other young people were aware of the marginalisation experienced by those with disabilities, arguing for greater inclusion at leisure facilities and in school or community activities.

## BASIC HEALTH AND WELFARE

- Children recognised the importance of *being healthy*.
- Most, including children and young people with disabilities, felt they had *access to health care* if they were under 18 (eg health checks in school, injections, access to doctors).
- But some young people did not know how to *access* the health care they knew was available.
- *Access to mental health care* was identified as a problem - particularly long waiting lists.
- Although a few felt confident about seeking *sexual health information*, most did not. Young people noted the stigma associated with seeking information and advice about sexually transmitted infections (STIs).

- There was considerable discussion about the need for *counselling and support* for young people. Although this could be offered in school, young people were critical of existing school-based provision. Concerns focused on lack of confidentiality and teachers' suitability as counsellors. Alternatives included access to support outside school (eg confidential services, outreach work in clubs, youth workers).
- *Information and support for LGBT young people* was a specific issue – they felt unable to approach school counsellors because they feared being 'outed' to their parents. Teachers perceived 'being gay' as a category of 'risk' or 'harm' requiring reporting. It was not uncommon for LGBT young people to be referred to a psychiatrist.
- The *health care or special care and assistance received by disabled young people* often depended on their family's ability to provide the support required and on where they lived. They believed that support should be available during the years of transition from being a young person to being an 'adult' - up to age 25.
- *Being independent* is an issue for all young people, including those with disabilities. They recognised that their parents can be over-protective, but appreciated their parents' concern and understood that parents are trying to do what they think is appropriate for their son or daughter.
- Children and young people acknowledged that not everyone has a good *standard of living*. Half of those consulted discussed the problems of not having enough money and the difficulties involved in living on benefits.

## SPECIAL PROTECTIONS

- Some young people had studied *child soldiers* in other countries as part of their lessons.
- The impact of *the conflict* in Northern Ireland was evident in discussions about the continuing presence of paramilitaries or vigilante groups in communities.
- Young people acknowledged that children and young people in developing countries need *protection from harmful work* (eg in 'sweatshops' or mines to cheaply produce goods for wealthy countries).
- A few recognised that some young people in Northern Ireland do not receive *fair pay* for employment (eg under-16s doing a paper round may not receive the minimum wage). Employment opportunities for young people with disabilities were limited and generally low paid or low status.
- Young people regularly out on the streets with friends reported a negative *experience of the police*, with a number raising issues of police brutality and sectarianism. They stated that they had no faith in the complaints system as the police would always be believed before young people.
- Young people expressed concerns about *treatment when arrested*, overnight detention in police cells and their *representation in court*.
- Conditions for those *detained* in police custody were described as poor.