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Response from the Northern Ireland Commissioner for Children and Young People to the Consultation on 'Towards an Anti-Poverty Strategy New TSN – The Way Forward – Phase Two'

1. The Role of the Commissioner for Children and Young People

1.0 The Office of Commissioner for Children and Young People (NICCY) was created in accordance with 'The Commissioner for Children and Young People (Northern Ireland) Order' 2003. NICCY's main aim is to 'safeguard and promote the rights and best interests of children and young people' and all its work is based on the United Nations Convention on the Rights of the Child (UNCRC).

1.1 In order to ensure their protection from the varying associated factors of poverty, children have clearly defined rights under Articles 2; 6; 12; 23; 24 and 27 of the UNCRC. In particular, Article 27 recognises the right of every child to a standard of living that is adequate for the child's physical, mental, spiritual, moral and social development. However, many children and young people living in Northern Ireland experience high levels of poverty and deprivation; more so than in any other part of the United Kingdom.

1.2 The Consultation on 'Towards an Anti-Poverty Strategy New TSN – The Way Forward – Phase Two' clearly falls within the remit of NICCY under Article 7 of The Commissioner for Children and Young People (Northern Ireland) Order 2003. NICCY therefore welcomes the opportunity to respond to this important and timely Consultation and offers the following comments.

2. Background

2.0 Social Policy intervention has consistently failed to substantially reduce the very apparent social inequalities that exist across the UK, including within Northern Ireland. Due to its high levels of deprivation Northern Ireland was for many years considered to be an EU Objective 1 region, yet traditionally, poverty alleviation strategies have been poorly developed.

2.1 Prior to its election in 1997, New Labour made the reduction of child poverty one of its main objectives. In 1999, Prime Minister Tony Blair pledged to halve child poverty across the UK by 2010 and eradicate it by 2020. However, the lack



of policy initiatives and resources in Northern Ireland with regards to tackling child poverty suggest that government is failing to deliver on its promises here.

2.2 Currently in Northern Ireland, 32,000 (8%) children are living in severe poverty, with 38% of our children identified as deprived of one or more child necessities (NI Anti-Poverty Network).

2.3 As indicated in the QUB research carried out on NICCY's behalf,

“one in three wards in the Derry/Londonderry City Council area has a child poverty rate of more than 70%. The three worst wards for child poverty in Northern Ireland are in Derry City. The Shantallow East ward has 92.4 % of its children living in poverty, the Brandywell 91.4 % and Creggan South 89.4 %. Two thirds of the thirty wards in the Derry/Londonderry City Council area have a child poverty rate of more than 50 %, only three have a child poverty rate of less than 25 %.”

“The fourth worst ward for child poverty is the Falls (Belfast). Seven of the 56 wards that have the dubious distinction of being the worst 10% of wards for child poverty are in West Belfast: Falls where 88.3% percent of children live in poverty; Whiterock (83.8%); Upper Springfield (83.3%) Ardoyne (82.6%); Clonard (80.7%) St. Annes (80.4%); and Shankill (74.2%). While Derry/Londonderry and West Belfast are notorious for high levels of poverty, some of the worst 10% of wards in terms of child poverty are in areas that are seen as very prosperous, for example, 72% of children in the Old Warren ward of Lisburn live in poverty” (Connolly and Keenan, 2001 cited in Kilkelly et al (2004)).

2.4 Tackling the issues around child poverty and social exclusion is a significant priority for NICCY, particularly in terms of how it affects children and young people with disabilities, those in lone parent families and those from ethnic minority groups. Poverty can impact on children and young people throughout their lifetime by adversely affecting their educational and employment opportunities.

2.5 NICCY has been lobbying Government extensively on a number of poverty related issues over recent months and has been at the forefront of highlighting the inadequate provision of resources for children's services.

We are particularly concerned about the inadequacy and short term nature of funding coming into Northern Ireland, for example, in relation to early years



services. Lone parents continue to face many obstacles when trying to secure paid employment, most notably the lack of affordable, flexible childcare.

2.6 The government claims that the provision of affordable childcare is a key factor in tackling child poverty, yet Northern Ireland continues to have one of the lowest provisions of childcare in Europe, including within the UK. Furthermore, up to 200 vital after-school facilities are at risk of closure across Northern Ireland due to lack of funding, which would have detrimental impacts on low-income and lone-parent families. If closed, many parents would have no alternative but to give up work and rely on social security benefits, and it is already well established that unemployment is the greatest cause of child poverty.

2.7 While NICCY welcomes the acknowledgement of the extent of poverty in Northern Ireland and the proposal to publish an Anti-Poverty Strategy we have five main inter-related concerns about the consultation document:

- a) The development of the Strategy
- b) The failure to include a focus on child poverty
- c) The lack of a rights-based approach
- d) Inadequate consultation with, and participation of, children and young people about issues that directly impact upon their lives
- e) The practical and effective implementation of the Strategy

3. Development of the Strategy: An Anti-Poverty Strategy or NTSN?

3.0 NTSN is borne out of Targeting Social Need, introduced in Northern Ireland in 1991 as a public spending priority. McLaughlin et al (2005) suggest that this policy was weakened by the nature of the socio-economic and political scene in Northern Ireland. Following a recommendation from the Standing Advisory Commission on Human Rights in 1997, which recommended strengthening the policy, TSN came to be a key part in the equality agenda during the Northern Ireland Peace Agreement negotiations. By 1999 it was firmly rooted as a policy to tackle poverty and socio economic inequalities, though by this stage it had been repackaged as NTSN (McLaughlin et al 2005). This consultation represents a further repackaging of NTSN as an 'anti-poverty' strategy.

3.1 It is NICCY's view that a strategy aimed at tackling poverty should be based on an agreed definition of what poverty and social exclusion are, a comprehensive analysis of the causes of poverty and a clear agreement of how the root causes of poverty can be addressed. The 'Anti-Poverty Strategy New TSN – The Way Forward – Phase Two' does not provide this – it is a hybrid policy – something that has evolved over time and is not therefore completely



geared towards the comprehensive approach that we need to see in Northern Ireland.

4) Child Poverty

4.0 The Strategy does not include any focus on child poverty and contains no reference to children and young people as a priority group. This is an unacceptable omission and indicates that children and young people are less of a priority. Considering the high levels of child poverty in Northern Ireland it is difficult to understand why it is not addressed in the anti-poverty strategy. Although the Strategy advocates a Promoting Social Inclusion group in relation to lone parents, a similar PSI group to address the exclusion experienced by children and young people is notable by its absence.

4.1 It is a major concern that despite the UK National Action Plan on Social Inclusion implementation report 2005, which commits to tackling child poverty in Northern Ireland, the NTSN – The Way Forward does not reflect this. It is also unclear how this strategy is linked to the work of the Children and Young People Unit at OFMDFM and with the Children's Strategy.

4.2 From NICCY's experience, poverty is an area of concern for many children and young people across Northern Ireland. Drawing on the research carried out for our Office by Queen's University Belfast, the key issues that need to be addressed are:

- the link between poverty and health;
- the link between poverty and children and young people's self esteem;
- the link between poverty, poor sexual health and teenage pregnancy;
- rural poverty and isolation
- the lack of services and environmental problems in deprived areas
- the minimum wage is lower for 16-year-olds (Kilkelly et al, 2004)

4.3 There are clearly many factors which impact upon child poverty. However in order to even begin to address these, an anti-poverty strategy must firstly recognise child poverty within the Strategy, acknowledge there are a range of associated priority issues and design a systematic plan of action. If there is ever to be the complete eradication of child poverty as envisaged by the government, we need to begin with a clear mapping of the main causes of child poverty and coherent targeted interventions.

4.4 The strategy must urgently address and action the root causes and impacts on children and young people of low income, substandard housing, social



disadvantage, unemployment, drug and alcohol abuse etc. Furthermore, and surprisingly considering their substantial detrimental impact on poverty and social exclusion, the conflict and ongoing civil disturbances in Northern Ireland are not acknowledged in the Strategy, factors that require inclusion.

5. Adopting a Rights-Based Approach:

5.0 Additionally, NICCY wants to see the active promotion and respect of the rights of children and young people. The State has an obligation to ensure to the maximum extent possible the survival and development of the child (Art.6). It also has a duty to assist parents in providing children with an adequate standard of living (Art.27). Significantly, the State has an overarching obligation to translate the rights of the Convention into reality as per Article 4, and it is clear by the high levels of child poverty that government is failing to meet the standards set out in the UNCRC.

5.1 In its Concluding Observations in its Report on the United Kingdom in October 2002, The United Nations Committee on The Rights of the Child highlighted a number of concerns including:

“the lack of a rights-based approach to policy development and the fact that the Convention has not been recognised as the appropriate framework for the development of strategies at all levels of government throughout the State party” (CRC 2002:para14)

NICCY is concerned that this very important consultation does not reflect a rights-based approach and in particular the UNCRC (Article 3) which states that:

“In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration”.

5.2 It is NICCY’s view that the development of such a significant policy should be unambiguous in ensuring that the ‘child’s best interests’ is the guiding principle. The policy makes no direct reference to children and young people as a priority group. The Queen’s research commissioned by NICCY highlighted the fact that poverty is a major obstacle in preventing children and young people from asserting their rights.



5.3 The approach adopted by the OFMDFM in both the development of this policy and this consultation process sits at odds with the wider societal context in which the rights of children and young people are being promoted.

It is of considerable concern to NICCY that in relation to Promoting Social Inclusion (PSI), a PSI group will be established to develop a strategy to tackle poverty and social exclusion experienced by lone parents, but not for children and young people.

6. Consultation/Participation of Children and Young People:

6.0 Many children and young people live in disadvantaged areas and have direct experience of poverty. However, there is no clear evidence of their participation in either the consultation process or within the proposed structures. Those living in poverty can often feel powerless and stigmatised therefore participation at all levels is particularly crucial.

6.1 Article 12 of the UNCRC states that:

“States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child”.

Research commissioned by NICCY highlights the importance of this issue for children and young people, stating that participation:

“(as) enshrined in Article 12 of the CRC, is fundamental to the realisation of all children’s rights and it is appropriate, therefore, that not being heard, not being allowed to participate in decisions made about them and not being consulted about changes to their lives, big and small, is the single most important issue to children in Northern Ireland” (Kilkelly et al 2004:xxi)

In examining the UK Governments compliance with Article 12 of the UNCRC in 2002, the UN Committee on the Rights of the Child commented that:

“procedures be established that would allow the views expressed by children to be taken into account in and to have an impact on developing programmes and policies affecting them.....take further steps to promote, facilitate and monitor systematic, meaningful and



effective participation of all groups of children in society” (CRC 2002:para 30)

6.2 This has clearly been acknowledged in the Draft Children’s Strategy which states that in order to ensure the effective participation of children and young people as ‘full, active and valued citizens in decisions affecting their lives’, there should be ‘visible involvement of children and young people in the development of policies which impact on them across a range of areas such as planning, transport, environment, health, social care and education’ (‘Making it r wrld 2, p.44).

6.3 It is of considerable concern to note therefore the lack of ‘effective participation’ and ‘visible involvement’ of children and young people in the development of this strategy by OFMDFM given their responsibilities to children and the Children’s Strategy. Additionally, it is of further concern that this is a consultation purporting to address social exclusion and yet it clearly fails to meaningfully include a significant Section 75 group in either the consultation process or the proposed structures.

6.4 It is NICCY’s understanding that some children and young people were involved via the Derry Children’s Commission. However we believe that there should have been a more co-ordinated and stratified effort to ensure children and young people from across Northern Ireland were involved in a substantial way.

6.5 Whilst it is recognised that any consultation with, and participation of, children and young people must take account of their age and maturity, the first consideration should be looking at creative and meaningful ways in which they can be involved in discussion about issues that directly affect them. Consultation should focus particularly on those who are most marginalised in our society, since marginalised children and young people are those most often affected by decisions, especially decisions about funding, and are more likely to be excluded from consultation processes.

6.6 There needs to be clear evidence of direct and meaningful consultation with children and young people. The recently appointed Children’s Minister has stated,

“I do not want ‘talking shops’. I intend to put in place mechanisms inside Government – and with the young people themselves – where ideas can be turned into action and the rights and needs of children are at the heart of Government policy”. (News Release, 10/08/05)



NICCY suggests more information on the consultation process is made available and strongly recommends the inclusion of children and young people in the structures proposed by OFMDFM.

OTHER ISSUES:

7. Budget

7.0 In 2002, the UN Committee on the Rights of the Child in its Concluding Observations on the UK implementation report noted:

“the positive moves towards analysing budgets to reveal expenditure on children; national objective to halve child poverty by 2010 and to eradicate it within a generation; and strategies and policies tackling child poverty and social exclusion through locally targeted services for children”(cited in Kilkelly et al 2004, p.97).

However, as stipulated by Article 4 of the Convention, the Committee remained concerned that the Convention is not implemented to the ‘maximum extent of available resources’ (UN, 2002: 10-11).

The Committee recommended that:

“the State party undertake an analysis of all sectoral and total budgets across the State party and in the devolved administrations in order to show the proportion spent on children, identify priorities and allocate resources to the “maximum extent of ... available resource” (CRC 2002:para11).

7.1 Despite the Committee’s concerns that the necessary resources are not being made available to meet the requirements of the UNCRC, the focus on budgeting within the anti-poverty strategy is on ‘skewing’ resources within Government Departments to those areas and groups deemed to be in greatest need. NICCY would contend that Government Departments are already under pressure and the piecemeal way in which even the most basic services here are



funded, i.e. early years, indicates that there is little enough in the system. There is certainly not enough leverage for Government Departments to meet current needs.

7.2 NICCY has actively expressed concerns about disparities between Northern Ireland and the remainder of the UK with regards to the provision of essential services for children and young people and funding levels. In recent correspondence to the Secretary of State for Northern Ireland, the Commissioner welcomed the positive response to his suggestion that a study should be carried out to examine the comparative streams and levels of expenditure between Northern Ireland, England and Wales.

7.3 In the same way that a coherent and effective anti-poverty strategy is required, there is also the need for a committed budget that is specific to this strategy and does not come via skewing.

8. Structures

8.0 An anti poverty forum would be very welcome and should be able to influence policy and therefore include representation from all sectors. Children and young people should have a voice in any such process.

9. Target Setting

9.0 As a result of a piecemeal approach in general, the targets listed are too vague. There needs to be a holistic linked approach that ensures any strategy is measurable in terms of effectiveness. In order to form part of a solid strategy framework, targets must be clear and well founded.

9.1 NICCY welcomes and supports the suggestion by Save the Children for child rights indicators to monitor the impact and effectiveness of the Anti-Poverty Strategy.

10. EQIA

10.0 It should be without question that a full EQIA is carried out on the proposed Anti-Poverty Strategy. Considering that a focus on child poverty is notably lacking from the Strategy, it would be particularly pertinent to assess how this exclusion will impact on children and young people from across the varying Section 75 categories, for example, those living with disabilities. Stating that the



strategy is too high level to have a full EQIA is unacceptable and failure to do so on the final Strategy would be a clear breach of Section 75 of the Northern Ireland Act (1998).

Conclusion

NICCY believes there are a number of problems associated with the proposed Anti-Poverty Strategy. Without the correct focus it is questionable as to how the Strategy can be effectively implemented. In order to ensure that children in Northern Ireland no longer have to experience the presently unacceptable levels of poverty, a more coherent plan of action is therefore required and should be developed as a matter of some urgency.

The lack of meaningful consultation with those who have significant experience of poverty themselves is particularly disappointing. Children and young people should be involved in varying ways at different levels and stages of the process, and included within the structures of the Strategy. It is important that their participation has impact and influence on policy and practice and is not tokenistic.

Full and effective implementation of the obligations under the UNCRC is not possible without a workable Anti-Poverty Strategy. If this is not addressed, it will continue to represent a failure by government to actively protect and promote the rights of children and young people.

It is important to note that how we address the issue of poverty will impact on future generations. We need to remember this and be mindful of the fact that what we do in terms of ensuring the best chances for children now will impact on their capacity to develop and ultimately determine whether they live in poverty with their own children.

References



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