

# Northern Ireland Report on the United Nations Convention on the Rights of the Child (UNCRC)

## Young people's summary

### Introduction

In 1991 the UK Government signed an international agreement, written by the United Nations, which recognises and protects certain rights given to children and young people in the UK. The agreement is called the United Nations Convention on the Rights of the Child (UNCRC).

Every five years or so the government has to tell the United Nations what it is doing to make sure that children and young people in the UK have their rights met.

In Northern Ireland, the Children and Young People's Unit in the Office of the First Minister and Deputy First Minister have put together a report to say what is happening here.

### Concluding Observations

Five years ago the United Nations made recommendations (called concluding observations) about things that should change for children in the UK – four of these were particularly about Northern Ireland ..... so the report starts with those.

<b>What the United Nations asked the Government to do</b>	<b>What the government has done about it</b>
To stop using plastic baton rounds to control riots – as children could be injured	Police and army now use the Attenuating Energy Projectile, which is a more flexible replacement baton round. Anytime it is used, an inquiry is held by the Police Ombudsman - who is independent of the Government.
To stop corporal punishment (hitting children) in all schools – even private ones	This was stopped in all grant-aided schools in 1987, and in private schools in April 2003.
To make more money available to integrated schools	Money has been increased – the number of schools has gone up from 41 to 56.
To review the emergency legislation in Northern Ireland, particularly within the juvenile justice system (which is the criminal justice system that deals with 10-17 year olds) and make sure it fits with the UNCRC	The emergency legislation here ended on 31 July 2007. After that, the same laws on terrorism apply in all parts of the UK. Changes have been made to the juvenile justice system following a review in 2000.

The United Nations Committee asks the Government to report under 8 headings. The first of these is **General Measures of Implementation** – this means the major things the government is doing to make sure the UNCRC is applied in the UK.

**The report says ....** The government has set up a number of bodies to make sure that the rights of children and young people are protected. Here,, we have the Commissioner for Children and Young People (NICCY). The Commissioner works closely with children and young people to (a) let them know about rights (b) take legal action when complaints are made and (c) do research and make formal and informal inquiries.

The Equality Commission for Northern Ireland makes sure that no-one is discriminated against – and that includes children. As well as that, the Northern Ireland Human Rights Commission protects the rights of all citizens, again including children.

The government has put together a plan (called a strategy) to show how we will meet the needs and rights of children over the next ten years. A lot of people, including children, were involved in coming up with the strategy. The Junior Ministers in the Office of the First Minister and Deputy First Minister will be in charge of making the plan happen. They will be helped by a number of groups including parents and professionals. The strategy has been launched alongside around £107 million of extra money that has been made available for children and young people.

The government is setting up some organisations to make sure that a lot of different types of children and young people can get involved in making the plan work.

The Participation Network will help people in government learn to work alongside children and young people. The Participation Hub will help to join-up all the new and existing ways that young people get together to talk to government. One of the new ways will be the Northern Ireland Network for Youth which will be set up to make children and young people's voice stronger and give them a direct line to the government.

There are a range of things children can do when they feel their rights are not being met. All children can complain to NICCY, but special procedures have been put in place for children in care or who have been detained by the police. The Children's Law Centre also provides a wide-ranging advice service to help any young person who feels their rights are not being met.

The government does its best to ensure that everyone hears about the UNCRC and understands what it means. Different groups of professionals have had training on what the UNCRC means for their work. These groups include teachers, magistrates, police officers, and workers in the Youth Justice Agency.

NICCY helps children and young people to learn about the UNCRC and in future all children will learn about their rights in school, as part of the new

lessons being introduced.

The United Nations Committee asks the government to provide facts and figures to show how different types of children get the rights and services they are entitled to. Breaking down all the statistics is very complex and involves pulling together figures from a lot of different agencies – many of them count things in slightly different ways. The government realises that there needs to be a system put in place to make collecting all the information easier for everyone. We are going to look at this urgently. In the meantime we have done our best to provide the figures the United Nations Committee asks for.

The next heading is called **Definition of the child** – this asks for information about how the government sees childhood and when children become adults in the law. The UNCRC says that childhood lasts until the young person reaches 18 years old. There have been no big changes in the definition of the child in the UK since the last report five years ago. In some circumstances young people who have a disability or who have been in care get their rights extended until they are 21.

In 2005 it was estimated that 434,780 children under the age of 18 were living in Northern Ireland (223,086 boys and 211,694 girls).

The next report heading is about the four **General Principles** that the UNCRC is based on, these are:

- Non-discrimination – which means that all children should have all of the rights in the UNCRC;
- Best interests of the child – which means that everything that is done or decided should put the child first, and be best for him or her;
- Right to life, survival and development – which means that children should get everything they need to grow, to be healthy and to achieve the best they can; and
- Participation – this means that children should have a say in the decisions that affect them.

**The report says** ..... the Government has put in place lots of laws and policies to protect everyone in Northern Ireland against discrimination. New legislation will help protect people of different races and ages as well as those who have a disability or who are gay or lesbian.

We also have a number of strategies and action plans to show what government agencies and departments will be doing to make sure that all communities in Northern Ireland are treated fairly and what help we will give to vulnerable groups.

All the laws that say how we treat children make clear that the child, and what is best for him or her, is the most important part of the process. We also make sure that when children have to be involved in the law and court proceedings they have people to help them speak up for what they want.

Government has a very important job to do in making sure that children are safe. We are going to set up a new Regional Safeguarding Board for Northern Ireland that will continue the work that was done by the area Child

Protection Committees. The new Board will be able to make sure that the best practice happens everywhere in Northern Ireland.

We have also been very concerned about the numbers of young people who end their lives by suicide. We set up a task force who have come up with a plan to help prevent suicide. The plan includes new initiatives, some of which will be to support young people.

Young people are increasingly involved in the work that we, in government, do. The participation of children and young people is a major element of both the Youth Work and Children and Young People's Strategies.

Children and young people have helped to shape our policies and strategies including the Fit Futures initiative, the work of the Children Matter taskforce,. Young people take part in various Shadow Youth Councils. For example, Belfast City Council has recently developed a Shadow Youth counterpart.

More than 1,000 children and young people were involved in research by Queen's University that looked at the state of children's rights in Northern Ireland and helped to set priorities for the NICCY office.

We are aware that some groups of young people need particular support to ensure that Government can hear their views. Young people with disabilities in the Southern Health and Social Services Board have formed a group called "Sixth Sense". The group is supported by Barnardo's. Members of the group have been involved in Children's Services Planning in the area and some have travelled to Geneva to meet with the United Nations Committee on the Rights of the Child.

The fourth report heading is about **Civil Rights and Freedoms** – this covers things like the right to be treated with dignity and respect, to be allowed to have your privacy and to have access to information.

**The report says** ..... that all births in Northern Ireland have to be officially registered and that even when children are adopted they can find out who their birth parents are.

This part of the report also deals with the ways that children can be punished. The law now says that children cannot be hit in any school in Northern Ireland. The law has also changed, so that adults can only argue that it is reasonable to hit a child in the home in very limited cases. Government is trying to encourage parents to use other ways of dealing with difficult behaviour and there is now a booklet which lists places which can help and support parents and children.

It is very important that children are treated with dignity when they are not at home – when they are at school or living in care or in custody. Teachers and workers in children's homes or juvenile justice centres in Northern Ireland have specialist training in dealing with children when their behaviour is difficult – when they are in danger of hurting themselves or maybe other people. The training makes clear that children's rights must be respected.

Children in Northern Ireland can access information in a number of ways. Many voluntary organisations like the Children’s Law Centre, the Voice of Young People in Care (VOYPIC), the Northern Ireland Youth Forum and Youthnet have special websites for young people. The NICCY website has an average of 6,000 different visitors every month.

The Northern Ireland Office has funded an information website for young people – it is called “the Little Book of Stuff” ([www.littlebookofstuff.org](http://www.littlebookofstuff.org)).

Another important source of information for children and young people is provided through the library service. In Northern Ireland there are 113 public libraries and 31 mobile libraries. A new policy called “Delivering Tomorrow’s Libraries” has been launched – it will place more emphasis on meeting the needs of young adults and children.

The fifth heading in the report is **Family Environment and Alternative Care**, it looks at how we protect children, how we support families and what happens to children when they are not able to live with their families.

**The report says** ..... that new laws and procedures have been introduced to help protect children. Agencies have agreed the steps that need to be taken when a child dies unexpectedly. Throughout Northern Ireland the Police and Social Services have special procedures to follow when child abuse is suspected. New legislation (the Protection of Children and Vulnerable Adults (Northern Ireland) Order) has been introduced to make sure that unsuitable people do not get the chance to work with children or with adults who are vulnerable.

The government is also taking steps to strengthen legislation around sexual offences and domestic violence and abuse.

Many different agencies have special policies to make sure that children are protected – these include schools, care services, and the courts. Sport NI works closely with the NSPCC to ensure that children in sporting environments are safe.

The ShOut project is helping agencies explore child protection issues in working with Lesbian, Gay, Bisexual and Transgendered young people.

The government provides a range of services and programmes to help parents in the important work of bringing up children. We have produced a Safe Parenting Handbook which provides lots of advice about keeping children safe. We have just provided almost £4 million to pay for extra services for parents and carers through the Children and Young People’s funding package.

When children are unable to live with their families, the government is responsible for making sure they are looked after. This is done through adoption, fostering and residential care services. This is what is termed ‘in care’. We are currently developing new proposals for law around adoption, which will place the child at the centre of the process and will take account of what people have been telling us in a series of consultations.

The care system has undergone a lot of change in recent years. In 2000 we created the Children Matter taskforce to help guide the changes needed. The task force established a set of principles which underpin developments, for example Children's homes have become smaller and more domestic in nature.

We have also put in place new arrangements for young people when their care placements come to an end. Children leaving care will be helped to plan their futures by a personal adviser and will get more assistance with education, housing and training.

Because of new legislation in recent years fewer children and young people are going into custody. There are two centres for custody in Northern Ireland. The Juvenile Justice Centre (JJC) has places for 48 children and the Young Offenders Centre (YOC) has places for up to 35. Normally juvenile offenders (those under 18) are held separately from adults. Special provision has been made for males under 18 at the YOC. There is no provision for separating 17 year old girls from adult female prisoners, although this situation is currently under review.

In very particular circumstances young people in care need to be kept in secure accommodation. This only happens if it is felt that the children are likely to run away and may injure themselves or others. The agreement of the courts is required. Lakewood Secure Children's Unit has places for 16 young people aged between 13 and 17 years old.

The sixth heading in the report is **Basic Health and Welfare**, this covers all aspects of health as well as poverty and disadvantage.

**The report says** ..... that a lot of new policies and strategies have been developed in recent years. All of these are designed to help everyone in Northern Ireland become healthier and some have a particular focus on groups who are disadvantaged.

The government believes that poverty, education, housing and the environment can affect health – so, lots of Departments and agencies need to work together to improve our overall health. We now have particular programmes around breastfeeding, teenage parenthood and obesity in children and young people.

A major review of mental health – including services for children and adolescents has recently been completed. This is likely to bring about a lot of change, for example money is being provided to put independent counsellors into all grant aided post primary schools.

The new Promoting Mental Health Strategy and Action Plan has a number of actions targeted towards young people and issues like bullying in schools.

The Government is tackling poverty through the new "Lifetime Opportunities" strategy. This was 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.

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.

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.

We are also focussing attention on youth homelessness and following the report of a working group are likely to change legislation to improve things for young people who become homeless.

The government recognises that some groups experience particular disadvantage, actions we are taking to address this include:

- Developing a strategy to improve the health and well being of those with a physical or sensory disability through increased service provision;
- Developing ideas for improving access to public services for those who use sign language;
- Developing treatment and support services for young people under the age of 18 in respect of alcohol and drugs;
- Improving public services in deprived areas through the neighbourhood renewal strategy;
- Assessing the need for Traveller Accommodation and prioritising the delivery of future schemes; and
- Developing housing support services for vulnerable young people and care leavers.

The seventh heading is **Education, Leisure and Cultural Activities**, it looks at all types of education and training. It also deals with play and support for sports and arts activities.

**The report says** ..... that Northern Ireland has a new curriculum which is designed to give young people 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.

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.

There 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.

New legislation has been brought in to support young people with Special Educational Needs (SEN). The main idea in the legislation is that children with SEN should, where possible, be educated in mainstream schools. Particular work is being developed around autism and dyslexia.

In response to criticism from the Commissioner for Children and Young People, a joint Department of Health, Social Services and Public Safety/Department of Education **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 decide how to make improvements.

A new skills strategy has been produced and vocational (professional and technical) training will be developed in line with this. 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.

The Government is committed to ensuring that all children have an equal right to access education. Sometimes this means that we need to provide special support programmes e.g. for school age mothers or children from the travelling community. Actions that we have taken include:

- Special funding and services for children whose first language is not English;
- Implementing the recommendations of a report on the education of children from the Traveller community;
- Funding and support for Irish language schools;
- Ensuring children in the Juvenile Justice Centre are provided with a full range of education, training and development opportunities. This includes the provision of 2 specialist workers to enhance links with external education providers;
- The LACE (Looked After Children in Education) project works in partnership with all agencies who contribute to the education of looked after children – in particular Health and Social Services Trusts, the Education and Library Boards and their education services, schools, the Youth Justice Agency, the youth service and community groups;
- £1.4 million has been provided in 2006/07 and 2007/08 to support and equip foster carers to discharge their role effectively as ‘first educators’ of the children in their care. 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;
- £100,000 in 2006/07 has been provided to ensure that each young person in a children’s home has access to a computer; and

- The Northern Ireland Anti Bullying Forum has been established 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 is to be completed in 2006. Dedicated teams of support workers have set up in each board to provide a support service to schools in their areas.

The government has produced a policy on how play opportunities for children aged 11 years and under, should be developed. Responses to public consultation have been looked at and will be published soon. This will be followed by the publication of the revised policy, the establishment of an implementation group and the drawing up of an action plan.

Plans are also in place to develop a recreation and leisure policy for older children and young people.

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.

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.

Sport NI invests in organisations aimed at increasing sports participation amongst young people, and in particular amongst disadvantaged young people.

The implementation of the Clubmark programme for Northern Ireland has seen 248 clubs gaining accreditation, thus ensuring a safe, child friendly and effective environment for young people to take part in sport.

The eighth and final heading in the report is **Special Protection Measures** – this deals with things Government are doing for particularly vulnerable groups like asylum seekers / refugees, children who are sexually exploited and children in the juvenile justice system.

**The report says** ..... that while the numbers of refugees in Northern Ireland are small they have the same rights as other residents. They have specific needs which service providers must identify and meet. To make sure that this happens the Office of First Minister and Deputy First Minister (OFMDFM) will develop a **refugee integration strategy** for Northern Ireland. The Northern Ireland Council for Ethnic Minorities provides an advice and support service, to destitute Asylum Seekers while they apply for assistance. The service is free and confidential. Interpreters are arranged as required.

In relation to children who are vulnerable to sexual exploitation, the Northern Ireland Office is funding a study to examine the extent of child prostitution. The study will also promote awareness of the problem and suggest strategies

for tackling it. New sexual offences legislation will bring about greater protection for children particularly in relation to abuse through pornography and prostitution and new crimes of abusing trust.

A range of things have been introduced in recent years to reduce the number of children who end up in custody and to ensure that children within the justice system have their rights met.

New ways of dealing with children who offend have been developed including the Youth Conferencing Service which is an alternative to prosecution and allows young people to take responsibility for their actions. The process also gives their victims an opportunity to say how they have been affected and to develop an agreed plan to redress the harm done. New **Reparation** and **Community Responsibility Orders** have also been introduced to provide courts with further alternatives to custody. These orders encourage children to take responsibility for their actions by making it up to the victim or doing community service.

The **Anti-social Behaviour (Northern Ireland) Order 2004** introduced Anti Social Behaviour Orders (ASBOs). Since then, out of a total of 40 ASBOs reported to the Northern Ireland Office, 17 have been given to children.

There has been a 5 fold increase in funding for projects working with young people at risk of involvement, or further involvement, in crime and increased support for voluntary and non government organisations to enhance capacity to advocate on behalf of marginalised young people.

Custody for children is regarded very much as a last resort - only for serious and persistent offenders. The arrest, detention or imprisonment of children is governed by laws which take account of the UNCRC. Children are treated with dignity and respect and in a manner appropriate to their assessed needs and age.

The age of criminal responsibility (age at which a child can be charged with an offence) in Northern Ireland is ten years – we feel this is the right age. Children who are charged with a criminal offence have the right to **free legal representation** through the Legal Aid scheme, regardless of their personal circumstances. Children can only be detained under very specific circumstances laid down in law. Detention can be challenged at court.

When children have to appear in court as witnesses they are given special protection. For example, they cannot be seen by the accused person and may give their evidence through a live television link. The court officials can remove their wigs and gowns to make the atmosphere less intimidating.

This section of the report ends with information about the training on children's rights that judges and magistrates have undertaken and a summary of the laws that protect children at work.