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Alliance Biennial Symposium  
2 April 2009  
Dublin Castle

Children's Rights in Ireland:

Are we there yet?  
Are we there yet?  
Are we there yet?

## Will the Government Make the Grade?

Since July, the Alliance has been undertaking a review of Government commitments in relation to children. The outcome of the review, *Report Card 2009*, will be published in early January 2009. The Report is the first of what will be an annual Alliance publication auditing and grading Government commitments.



Based on commitments made in the National Social Partnership Agreement, *Towards 2016*; the *Programme for Government 2007-2012*, the *National Action Plan for Social Inclusion 2007-2016*; and the *National Children's Strategy, 2000-2010*, the Report Card will explore how well the Government is doing in implementing its target. This first report will focus on aspects of education, health, poverty and what it feels like to be a child in Ireland. A panel of external assessors will oversee the Alliance grading of Government progress.

The Report Card will be an honest and frank evaluation of Ireland's treatment of its children – both good and bad – and will hopefully prove a valuable reference tool for policy makers, NGOs, the media and those providing children's services. The aim is to put a spotlight on how in Ireland we value childhood by seeing if live up to our promises to children. Keeping promises and honouring commitments will improve the lives and life chances of all children in Ireland. It will also move us closer to full implementation of the UN Convention on the Rights of the Child in Ireland.

All member organisations will receive copies of the Report Card when it is published in early January 2009.

Jillian van Turnhout, Chief Executive

## Thornton Hall - Illogical and Waste of Money

In early November, sustained media coverage that the Thornton Hall prison site would be further delayed by at least two years prompted the Alliance to write to the Minister for Justice, Equality and Law Reform, Dermot Ahern TD, and the Minister for Children and Youth Affairs, Barry Andrews TD.

Naturally, the Alliance is opposed to the detention of any child under 18 years in Thornton Hall. This is based on the UN Convention on the Rights of the Child (UNCRC), particularly *Article 3*, 'the best interests of the child'; *Article 37*, to ensure that children detained by the State shall be separated from adults; and *Article 40*, the right of every child who has infringed the law to be treated in a manner consistent with the promotion of a child's sense of dignity and worth, thereby promoting the child's reintegration into society.

Given the current financial climate, the Government should direct its resources into the new children's facility on the Oberstown Campus (in Lusk). Frankly, common sense must prevail and money should not be wasted on a temporary facility within an adult complex like Thornton Hall.

With children continuing to be detained in the unsatisfactory accommodation and regime of St Patrick's, it is time the Government stops its dithering and accelerates the process of delivering a long-term solution. It is absolutely vital that a realistic timeframe is now publicly set for commencement of the Oberstown Campus project.



Our most recent podcast features the Minister for Children and Youth Affairs, Barry Andrews TD, discussing youth justice issues and their relevance to the UNCRC, including conditions in St Patrick's Institution. In the podcast, he states categorically that it is '**not the Government's long term goal**' to use Thornton Hall as anything other than '**an interim solution**' for the detention of young offenders. The Children's Rights Podcast Series is available at [www.childrensrights.ie](http://www.childrensrights.ie)



## Member Focus

### Children in Hospital Ireland

#### *Making Hospital a Happier Place for Children*

Children in Hospital Ireland (CHI), founded in 1970 by parents to ensure that sick children are cared for appropriately and with respect, offers a voice for all sick children regardless of age, illness or condition.

Taking a rights-based approach, CHI works nationwide to promote and ensure the welfare of sick children, particularly before, during and after hospitalisation, by drawing attention to their emotional and developmental needs.

In addition to campaigning for the highest standards of care for child patients, CHI helps families prepare for, and deal with, any difficulties they may encounter, during and following, a child's stay in hospital.

#### Key services include:

- **PlayWell:** a volunteer play service operating in 17 hospitals throughout Ireland. Volunteers – trained and vetted by CHI – engage in arts, crafts, games and fun activities with children in wards and hospital playrooms every week.
- **JustAsk:** a help desk located in Crumlin Hospital. Volunteers provide practical help for parents, carers and families of sick children and for visitors.
- **Information and Support:** Phone and postal service from the office and through the website.
- **Education Programmes:** Lectures and talks for public, parents, students and professionals.
- **Publications:** Series of educational and informational publications for parents and professionals

Email: [info@childreninhospital.ie](mailto:info@childreninhospital.ie)  
Web: [www.childreninhospital.ie](http://www.childreninhospital.ie)

# Budget 2009

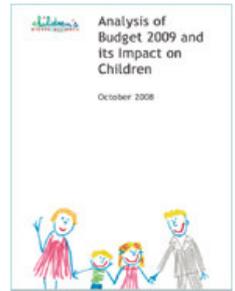
Like many other NGOs, the Alliance was disappointed with the Minister for Finance Brian Lenihan's first budget in October. Despite the Government's claims of targeted spending in education, health and social welfare, it became very clear that we were dealing with the opposite. We said: 'Read the small print, Budget 2009 is about cutting children out of a future'.

In the middle of an international banking crisis, only the very foolish would not expect cuts. However, there was no hiding place from these cuts, and Budget 2009 has already failed to 'protect the most vulnerable in society' – and contradicted the stated intentions of the Minister for Finance. The call for 'solidarity' and for the nation to 'all pull together' was also misjudged, when careless cuts, including a 1% levy, would drive more and more children into poverty.

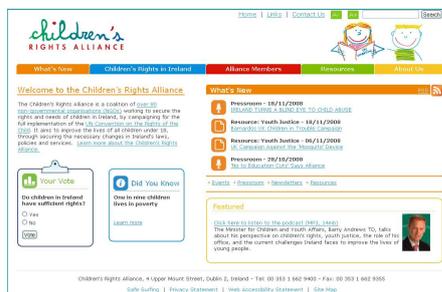
Full details of Budget 2009 can be found in our 'Analysis of Budget 2009 and its Impact on Children'. Split into three sections, the first section analyses Budget 2009 and provides commentary on the key issues as identified by the Alliance; the second section gives detailed descriptions of the measures introduced by three key departments; and the final section includes useful information, such as the Alliance pre-Budget submission and the post-Budget press statement.

## Education Cuts

The Alliance attended an 'Education Cuts' rally outside the Dáil on 29 October following the introduction of 32 education cuts. All are contrary to the principles of the UN Convention on the Rights of the Child and are in breach of the Government's Commitments in the Social Partnership Agreement *Towards 2016*. The Alliance is in no doubt that the proposed cuts in Budget 2009 will have a severe impact on the education system and fail to provide children with the start that they deserve. While spending may have increased in some areas, there are root-and-branch cuts across the board. Not only will there be fewer teachers and bigger class sizes, but there are also cuts in the provision of language support, special needs, school books, music, and in school transport – these cuts mean that many children will go without or parents will have to pick up the tab. Either way, it is unfair and fails children.



Jillian van Turnhout (CEO) joined the 10,000-strong rally against cuts



## New Website

The Alliance recently redeveloped its website: [www.childrensrights.ie](http://www.childrensrights.ie) (the same address). The site will enable us to communicate more effectively with our members as well as provide visitors with the latest information on children's rights, both national and international.

The resources section has over 200 publications relating to issues such as the constitutional amendment on children's rights, the UNCRC, minority children, poverty etc. There are other new features on the web site, including a poll (which will change monthly) and an events calendar (where member organisations can list their own events). The site has been designed to conform with the W3C's Web Accessibility Initiative (WAI) level 2.

We very much hope you enjoy using the site and would ask that you let us know what you think of it. Moreover, please let us know if you would like us to include your event on our web site by emailing [info@childrensrights.ie](mailto:info@childrensrights.ie)

## Children’s Constitutional Amendment Presentation

On 8 October, the Alliance had a second oral hearing before the Joint Committee on the Constitutional Amendment on Children, after being the first NGO to be invited to present earlier in the year. Jillian van Turnhout, our Chief Executive, and Maria Corbett, our Policy Director, represented the Alliance and stated categorically that the proposal to hold a children’s rights referendum was ‘non-negotiable’.

Calling on the Committee to focus on formulating a wording to strengthen children’s rights within the Constitution, the Alliance outlined constitutional blocks and the ways in which constitutional change would help Ireland become one of the best places in the world to be a child.

There are many compelling reasons for a constitutional amendment. Constitutional change is necessary — and the only possible route — to provide express rights in the Constitution which recognise children as individual rights-holders, to ensure all children are treated equally within the Constitution, and to ensure that the judiciary and legislature base their decisions in relation to children on the ‘best interests of the child’ principle. Placing express rights in the Constitution is a powerful symbol that Ireland wants the best for its one million children and their families.

We also reiterated our position that children’s rights are not about driving a wedge between parents and their children. We forget too often that it is the parent who champions their child’s rights. For the vast majority of families, strengthening children’s rights will keep families together rather than tear them apart.

In the small number of cases where a child is failed by their parent or a conflict arises between the wishes of parents and the best interests of the child, the State needs to play a role to protect their best interests. Neglect and abuse cases, custody battles, parental child abduction and adoption cases may be rare and played out in the media as real life dramas, but at their centre are vulnerable children who depend on the State to safeguard their rights and ultimately their futures. We only need to think of the Baby P case.

The Joint Committee has since extended its deliberations and is due to make its recommendations on 9 April 2009. The Alliance will continue to campaign for Ireland to strengthen children’s rights in the Constitution.



### UNCRC Update State Report

In October, the Alliance and other key NGOs met with the Office of the Minister for Children and Youth Affairs (OMCYA) to discuss the Irish State’s next submission to the UN Committee on the Rights of the Child and its success in implementing the principles of the UN Convention on the Rights of the Child (UNCRC) in Ireland. Ireland’s next submission, due in April 2009, will combine its third and fourth progress reports.

The State is currently collating updates from various government departments and will begin the editing process shortly, with the aim to circulate a first draft by January 2009. The OMCYA was keen to stress that the NGO sector would be kept fully informed of progress, including sight of drafts (and option to comment) in advance of being sent a copy of the final report. The forthcoming third and fourth reports should include evidence that the UN Committee’s Concluding Observations of 2006 are being addressed and include updates on its last State Report in 2006.

Once the State Report is received, the UN Committee will commence the monitoring and review process. The Alliance will engage in this process and will develop a Shadow Report in consultation with its member organisations. We will, of course, keep member organisations informed as this process develops.

### World Day for the Prevention of Child Abuse

Launched in 2000, the World Day for the Prevention of Child Abuse is commemorated on 19 November, in synergy with the anniversary of the International Day for the Rights of the Child (20 November).

This year, the Alliance used the day to call on the Government to support all children living in Ireland currently enduring, or at risk of, child abuse. To

illustrate, the Alliance pointed to the case of Pamela Izevbehai, who failed to win an injunction from the High Court to stall a deportation order back to Nigeria to save her daughters Naomi, 7, and Jemima, 6, from a forced female genital mutilation (FGM) procedure, while awaiting a judicial review of the case. As yet, there is no explicit legal protection against FGM in Ireland or specific legislation to protect a child from being removed from Ireland to have the procedure carried out overseas.

For the second year running, the

Alliance also called on the Government to ratify the Optional Protocol to the UN Convention on the Rights of the Child on the sale of children, child prostitution and child pornography.

Over 120 other States have ratified the Protocol. Ireland has yet to do so, although it would strengthen child trafficking laws; the illegal adoption of children; child prostitution, child pornography and other offences. The aim of the Protocol is to provide a platform for nations to stand together to stop the global sexual exploitation and abuse of children.

## News in Brief

- Jillian van Turnhout, Chief Executive, presented to the Association for Child and Adolescent Mental Health (ACAMH) conference on children's rights in St Patrick's Hospital on 27 November. Jillian spoke about the UN Convention on the Rights of the Child in the context of mental health, as well as the Government's own policy document *a Vision for Change* and the role of NGOs in securing children's rights.
- The Alliance will host a Roundtable with Integrating Ireland on Thursday 29 January to examine the rights and needs of children growing up in asylum seeking direct provision accommodation.
- 10 December 2008 will be the 60<sup>th</sup> anniversary of the Universal Declaration of Human Rights. The *Every Human Has Rights* campaign aims to collect 1 billion individual signatures from across the world by the end of 2008. [www.everyhumanhasrights.org](http://www.everyhumanhasrights.org)
- The Equality and Rights Alliance (ERA) was set up to challenge the cutbacks in funding to the equality and human rights agencies and will be presenting a petition to the Minister for Justice, Dermot Ahern TD, on 10 December. Fittingly, the petition presentation coincides with the 60th anniversary of the Universal Declaration of Human Rights. The campaign needs as many signatures as possible, so please add your signature at: [www.ipetitions.com/petition/erapetition](http://www.ipetitions.com/petition/erapetition). For more information on the campaign, go to [eracampaign.org](http://eracampaign.org)



## Nurture Not Punish Council of Europe Campaign

In human rights law, children have a right to protection from all forms of violence, including corporal punishment (like smacking) in all settings. Studies have also found that smacking is ineffective as a means of discipline, conveys the wrong message to children and may cause serious physical and psychological harm.



In response, the Council of Europe has started a campaign for its total abolition and to promote positive, non-violent parenting in its 47 member states. Called *Raise your hand against smacking* and launched in June 2008 in Zagreb, Croatia, the campaign has proved successful in raising awareness about the issue. The real challenge, however, is to convince adults to step back and take a hard look at their own parenting practices and attitudes towards children. And since few politicians are willing to undertake legislative change without public support, the campaign targets the public as well as decision makers. In the words of the Council of Europe: Hitting adults is called assault, Hitting animals is called cruelty, Hitting children is "for their own good".

Please visit [www.coe.int/children](http://www.coe.int/children) to take a moment to sample the media pack, produced in collaboration with the London advertisement agency Saatchi & Saatchi, which includes an excellent animated TV spot. Using a positive, universal message, the animation targets parents, teachers and child minders to use their hands *to nurture not punish*.

## Biennial Symposium

### Children's Rights in Ireland:

Are we there yet? Are we there yet? **Are we there yet?**

#### Programme includes:

**Maria Herczog, UN Committee of the Rights of the Child**  
**Phil Beadle, Presenter of Channel 4's 'The Unteachables'**  
**Emily Logan, Ombudsman for Children**  
**Sylda Langford, Director General, OMCYA**

Dublin Castle, Thursday 2 April 2009

Organised by the Alliance with the support of the Office of the Minister for Children and Youth Affairs

## New Staff Member



We are delighted to welcome Emma McKinley, who joined the Alliance in October 2008 as our *new Research and Policy Assistant*.

Emma recently returned to full-time education achieving a Master's in Globalisation in DCU. She previously worked for six years with the ISPC as their Communications Officer. In this role she was responsible for a variety of campaigns and events in the areas of child protection and children's rights. Emma's recent studies focused on international human rights law and her dissertation on separated children who go missing in Ireland, will prove invaluable to the Alliance. Welcome Emma!

If you would like to submit material for future eNewsletters, please contact Carys Thomas ([carys@childrensrights.ie](mailto:carys@childrensrights.ie))

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The Alliance newsletter is an in-house publication