

## Children's Rights Alliance

### Press Release

21 May 2003

For Immediate Release

# Seven years of broken promises are enough: No more stalling on the Ombudsman for Children

Speaking at a press conference in Dublin today, representatives of the Children's Rights Alliance and its member organisations called on the Government to keep its promises to children by creating the Office of Ombudsman of Children. Seven years after it was first promised and more than a year since it was passed into law, the Office of Ombudsman for Children has still not been established and the post remains unadvertised and vacant.

Longtime campaigner for the rights of homeless youth **Fr. Peter McVerry** said, "Children urgently need an independent champion who can stand up for their rights and hold statutory bodies and public officials accountable when they fail to meet their responsibilities to children. The Act to establish the Ombudsman for Children has been passed and funds have been included in the Budget, but now we learn that the Minister for Finance continues to withhold expenditure approval. Minister McCreevy must now stop stalling and permit the Office to be established."

ISPCC Chief Executive **Paul Gilligan** said, "The Irish child protection system is still in need of radical reform and development. The Children First Guidelines launched in 1999 have not been fully implemented, the lack of Garda vetting those seeking to work with children represents a major child protection risk and the 'out of hours' service for children at risk remains totally inadequate. The Ombudsman for Children will have a major role to play in ensuring that the inadequacies of the child protection system are corrected. In the absence of the Ombudsman, it is likely that these systemic deficiencies will persist and continue to add to Irish society's inability to adequately protect children."

**Noirin Hayes** of the DIT School of Social Sciences pointed out that "the current delay is clearly a case of unwarranted stalling. Northern Ireland, which passed its Children's Commissioner legislation only months ago, is already at the interview stage of filling the position. The post of Ombudsman, however, has still not been advertised and procedures for recruiting and selecting staff, including the Ombudsman, have still not been announced."

Barnardos Chief Executive **Owen Keenan** added, "Since the Supreme Court decision in December 2001 to limit the capacity of the judiciary to order government officials to meet their obligations to children, the need to establish an Office of Ombudsman for Children has taken on an even greater urgency. It must be put into place without further delay."

**Fionnuala Kilfeather**, Chief Executive of the National Parents Council - Primary said, "When things go wrong for a child in school it can take months or even years for the child's rights to be addressed. The Ombudsman will be able to be an advocate for the child. Each week we hear new details of schools that are dilapidated, unheated or otherwise in urgent need of repair or reconstruction. An Ombudsman for Children will be able to intervene on behalf of children when their rights - including their educational rights - are ignored or violated."

Solicitor **Geoffrey Shannon**, the Irish Expert for the Commission on European Family Law, stated, "By ratifying the UN Convention on the Rights of the Child, without reservation, Ireland accepted its international obligations towards children. The failure of the State to establish the Ombudsman for Children acts as an impediment to the effective implementation of children's legal rights under the Convention and amounts to a breach of Article 12 of the Convention."

The Government's official line is that work to create the Office is "ongoing" and that something will be done (without explaining exactly what) by April 2004 – two years after the Act was passed, four years after it was promised in the National Children's Strategy and eight years after the initial Government commitment to its establishment.

"These delays directly affect the most vulnerable children in our society," said **Raymond Dooley**, Chief Executive of the Children's Rights Alliance. "Children in care, children with special health and educational needs, children with disabilities and children living in poverty have been left without a strong, independent champion to promote their interests. Their stories fill the newspapers. 'No social workers for children, inspection finds', 'Children going to school hungry' and 'Abused children waiting months for clinic check' read the headlines. Their needs have been neglected and their rights ignored. The need for an Ombudsman for Children has never been greater than it is today."

Passage of the Ombudsman for Children Act was warmly welcomed by the Alliance last year and was hailed as a major step forward in the effort to promote and protect the rights and welfare of children in Ireland. To ensure that the potential of the legislation is fully realised and that children will have a strong, independent ally to champion their interests, the Alliance has urged that the post of Ombudsman for Children be publicly advertised and be supported by a recruitment process that encourages applications and identifies the most qualified candidates for the position.

The campaign to establish an Office of Ombudsman for Children dates back to 1995. The Children's Rights Alliance, which has advocated since its inception for an Ombudsman for Children, welcomed the first Government commitment in 1996. In January 1998, as part of its *Concluding Observations* on Ireland's performance in implementing the UN Convention on the Rights of the Child, the UN Committee on the Rights of the Child urged Ireland to take action on this issue. In 1999, and again in November 2000 with the launch of the National Children's Strategy, the Government again made commitments to create through legislation an independent Office of Ombudsman for Children.

The Children's Rights Alliance is a coalition of 74 Irish NGOs concerned with the rights and needs of children. The Alliance works to secure the full implementation of the principles and provisions of the UN Convention on the Rights of the Child.

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