



# Putting Children First

Children's Rights Alliance

*Pre-Budget Submission  
Budget 2003*

November 2002

The Children's Rights Alliance calls on the Government to put children first when drawing up Budget 2003 and to give their rights and welfare the priority they need and deserve.

Putting children first in Budget 2003 means keeping commitments to children made in national policies such as the National Children's Strategy and the National Anti-Poverty Strategy.

Putting children first means not balancing the budget at the expense of children but instead ensuring that their best interests are protected. Children, particularly disadvantaged children, are extremely vulnerable to the negative impact of spending and tax policy decisions.

Putting children first means setting aside resources to meet children's needs at the start of the budget process, instead of identifying what's left after all of the important budgetary and tax decisions have been made.

Putting children first means recognising that children have a right not to live in poverty, a right to the highest attainable standard of health and a right to the development of their full human potential. It means recognizing that we have a duty under the UN Convention on the Rights of the Child to respect those rights.

The Children's Rights Alliance urges the Government to choose to put children first by allocating the resources necessary to honour our commitments to children – particularly the commitment to eliminate child poverty.

## **1 Child Income Support**

Child poverty is a denial of the basic right of a child to an adequate standard of living, a right guaranteed by the UN Convention on the Rights of the Child. In 2000, more than 8% of Irish children were living in 'consistent poverty'<sup>1</sup> and roughly 24% of Irish children were in 'relative income poverty'<sup>2</sup>. While the percentage of children in 'consistent poverty' has fallen in recent years, research indicates that the depth of 'relative income' child poverty has increased during this period.

Children in Ireland are almost twice as likely than adults to experience poverty. Children in families with three or more children, children living in lone parent households and children of Traveller and asylum-seeking families are particularly at risk of experiencing poverty. The longer a child is poor, the greater the impact on the life chances of the child and the subsequent deprivation in later life.

The Children's Rights Alliance strongly endorses the commitments to end child poverty in Ireland contained in the National Children's Strategy, the National Anti-Poverty Strategy and the Programme for Government.

The National Children's Strategy promises that "children will be provided with the financial supports necessary to eliminate child poverty." The National Anti-Poverty Strategy sets 2007 as the deadline for reducing the number of children in consistent poverty to below 2% and, if possible, for ending child poverty completely.

The new Programme for Government embraces the commitment to eliminate child poverty and promises that the effort to end child poverty will be "a core element of our work."

Meeting these commitments will require a sustained and fully resourced programme of action that addresses all aspects of child poverty. Budget 2003 provides the opportunity to support that programme of action and to achieve the objective of ending child poverty by 2007.

---

<sup>1</sup> Defined as having a household income below 60% of average disposable income and experiencing enforced basic deprivation.

<sup>2</sup> Defined as a household income below 50% of average disposable income.

### ***Child Benefit***

Budget 2003 must uphold the Government's promise to increase Child Benefit by implementing the third stage of the three year commitment.

- Meet the Government's Child Benefit commitment by increasing Child Benefit by €31.80 per month (€38.10 for the higher rate) to provide a monthly payment of €149.90 (€185.40 for the higher rate). Cost<sup>3</sup>: €413 million
- Implement a weekly or fortnightly payment schedule for Child Benefit payment in recognition of the budgeting constraints of low income families.

### ***Child Dependant Allowance***

Child Benefit payments alone will not end income poverty among children. As recognised in the new National Anti-Poverty Strategy, low income families require additional child income support. Since 1994, however, the Child Dependant Allowance payment has been effectively frozen, exacerbating child poverty among families in need of welfare assistance. Budget 2003 should:

- Standardise the three Child Dependant Allowance rates currently in use - €16.80, €19.30 and €21.60 - and increase to a rate of €25.00 per child per week to provide a more adequate income to families with children who depend on social welfare payments. Cost: €145 million

### ***Family Income Supplement***

- Integrate the Family Income Supplement payment into the tax system to avoid the present poverty trap.

### ***Refundable Child Tax Credit***

- Examine the introduction of a refundable child tax credit similar to the Integrated Child Credit planned for the UK. This would provide a child income support measure targeted to both welfare dependent and low wage households and be portable across the welfare to work divide.

## **2 Children's Health Care**

The current two-tier system of health care discriminates against children by providing timely access to care not on the basis of need, but on the grounds of ability to pay. This inequity is reflected in the long waiting lists for public hospital care and in the uncovered costs of primary health care for the vast majority of Irish children.

The Chief Medical Officer of the Department of Health and Children, citing the connection between poverty and ill-health and the importance of eliminating

<sup>3</sup> All costs are estimates and refer to additional costs.

financial obstacles to medical treatment for children, has called for the provision of free primary health care to all children<sup>4</sup>. The Health Strategy launched in late 2001 contains a Government commitment to substantially expand Medical Card eligibility by increasing income guidelines and by taking particular account of the needs of children. Budget 2003 should:

- Honour the commitment in the Health Strategy to substantially expand Medical Card eligibility, particularly for families with children.
- Begin to implement the recommendation of the Chief Medical Officer by extending, on a phased basis, the Medical Card to all children under the age of eighteen, beginning with those under the age of five.
- Comply with the Government's commitment to reduce the maximum treatment waiting time for children to three months by the end of 2003.

Budget 2003 should also fully fund the commitments for children contained in the "Framework Document" accompanying the National Anti-Poverty Strategy and commitments contained in the Health Strategy. Commitments in the Health Strategy include:

- Develop an integrated national programme for child health.
- Extend the number and nature of GP visits for an infant to be covered under the Maternity and Infant Care Scheme.
- Prepare protocols and standards in relation to the care of children in hospitals.
- Prepare a National Injury Prevention Strategy to co-ordinate action on injury prevention.
- Expand mental health services for children and adolescents including the implementation of the recommendations of the First Report of the Review Group on Child and Adolescent Psychiatric Services and the development of mental health services to meet the needs of children aged between 17 and 18.
- Further develop Springboard Projects and other family support initiatives.
- Expand positive parenting supports and programmes.
- Develop effective out-of-hours services in all health board areas as a priority.

---

<sup>4</sup> Department of Health and Children (2001) *Annual Report of the Chief Medical Officer: The Health of Our Children*. Dublin: Department of Health and Children.

- Introduce family welfare conferences and other services required to support the Children Act, 2001.

### **Health Behaviours: Drugs, Alcohol and Smoking**

The lifestyle choices and health behaviours of children can have a direct impact on their health and social well-being, both in childhood and in later life. In addition to the addiction and health implications of alcohol and drug use there are other associated risks and dangers, such as unsafe sex practices, higher incidences of accidental injuries and deaths, and hepatitis or HIV infection. In 1998 the UN Committee on the Rights of the Child expressed “concern about the incidence of teenage suicide... [and] the lack of adequate programmes addressing adolescent health-related problems, such as drug and alcohol abuse and early pregnancies”<sup>5</sup>.

Despite various initiatives in health education and promotion, there remains a disturbingly high incidence of smoking, alcohol and drug use among children and young people. Up to the age of 15, Irish children compare favourably with the average in other European countries for many risk indicators such as smoking, alcohol consumption and exercise. However, there appears to be a comparative deterioration in the pattern of health risk behaviour in the latter teenage years, for both girls and boys. To address this issue Budget 2003 should:

- Increase funding for current initiatives such as Drugs Task Forces aimed at reducing drug, alcohol and substance abuse among teenagers. Cost: €30 million

## **3 Child Protection**

The State is obliged under the UN Convention on the Rights of the Child to undertake preventive and treatment programmes to ensure that children are protected from all forms of abuse. Budget 2003 should:

- Provide adequate funds to fully implement the Children First – National Guidelines for the Protection and Welfare of Children (1999) and to provide sufficient treatment and counselling services for children who have suffered abuse.
- Fund the expansion of the Garda Síochána Special Vetting Unit to enable the vetting of all prospective workers whose work will bring them into direct contact with children.
- Increase funding to the Health Boards, in particular the Eastern Regional Health Authority (ERHA), to ensure effective staffing levels and management within the social work service in order to eliminate

<sup>5</sup> United Nations Committee on the Convention on the Rights of the Child (1998) *Reply to the First National Report Ireland: Concluding Observations of the Committee on the Convention on the Rights of the Child*, Geneva: United Nations.

current waiting list. As of March 2002, over two thousand children were on the waiting list for social services in the ERHA service area, and in some Dublin community care areas more than half of all social work posts were vacant.

- Ensure sufficient funds to achieve Government commitments under the Stockholm Declaration and Agenda for Action aimed at combating the commercial sexual exploitation of children.

## **4 Care for Troubled Children & Young Offenders**

Children who are unable to live with their families and children in conflict with the law are a particularly vulnerable group of children and are afforded special protective rights under the UN Convention on the Rights of the Child.

### **Care for Troubled Children**

The number of children who present to the courts with extreme behavioural difficulties in need of secure care has highlighted the inability of the care system to respond appropriately to the needs of these children before their behaviour has reached a crisis point.

The lack of investment in services specifically designed to cater for non-offending troubled children means that the rights of such children have been violated through their detention in inappropriate places such as children's detention centres, adult prisons and adult psychiatric hospitals. Immediate investment is needed to vindicate the rights of these vulnerable children to adequate care and treatment. Budget 2003 should:

- Adequately fund the introduction of innovative community based early intervention services and structured programmes for the identification, assessment and treatment of children with emotional and behavioural problems, as provided for in the National Children's Strategy.

### **Juvenile Justice**

- Abandon Government plans to open a "temporary" children's prison wing for 14 and 15 year olds at St. Patrick's Institution. St. Patrick's is an unsuitable place of detention for children and the opening of a children's prison constitutes a reversal of stated Government policy and is inconsistent with the Children Act, 2001 which holds that detention should only be used as a measure of last resort. The €9 million allocated to the new prison wing should be redirect into the provision of diversion and preventive services and to services for troubled non-offending youth.
- Fund implementation of the Children's Act, 2001, in particular parts 2 and 3 covering family welfare conferences, special care provision and private foster care. Introduce bail supervision and support schemes to avoid children committing crimes on bail.

- Make available funding to establish a Child Law Unit within the Legal Aid Board to focus exclusively on child abduction cases and public law in relation to children.

## **5 Children with Disabilities**

Article 23 of the UN Convention on the Rights of the Child emphasises that a child with a physical or learning disability has a right not just to specialised services but to “enjoy a full and decent life, in conditions which ensure dignity, promote self-reliance and facilitate the child’s active participation in the community”.

Children with disabilities face a disproportionate risk of living in poverty. Future legislation relating to children with disabilities must include full and explicit recognition of their rights and ensure those rights are adequately protected. Budget 2003 should:

- Increase the Domiciliary Care Allowance from €175.80 per month to a realistic level of at least €250 based on support needs of the child.
- Increase investment in educational facilities and in residential, day and respite care places and support services for disabled children. Services should be available locally to ensure equal access across geographical areas.

## **6 Promoting & Protecting the Rights of All Children**

### ***Child Impact Statements***

Under the National Children’s Strategy all departments must identify the impact of their policies on children when seeking a government decision and include child impact analyses in their Departmental Strategy Statements.

To ensure compliance with this commitment, Budget 2003 should introduce the following measures:

- Require the Department of Finance to withhold funding to departments unless they have drafted and submitted child impact statements, as called for in the Strategy.
- Require the Department of Finance to provide detailed child impact statements with all proposed budgets and Finance Acts and with any proposed changes in tax policy, including tax expenditures.

### ***Key Statutory Bodies***

A range of key statutory bodies provide essential services for, or on behalf of, the rights and needs of children in Ireland, in particular children at risk. The

funding of these services must be protected against cutbacks in budgetary expenditure.

- Provide adequate resources to support the work of the National Children's Office, the Irish Social Services Inspectorate and the Special Residential Services Board whose work is focused exclusively on children.
- Protect the budgets of other statutory bodies charged with rights protection and promotion, including the Combat Poverty Agency, the NAPS unit, the Homeless Agency, the Human Rights Commission, the Equality Authority, the National Disability Authority, the NCCRI, Comhairle and the Legal Aid Board.

### ***Children's Voices***

In line with Goal One of the National Children's Strategy and Article 12 of the UN Convention on the Rights of the Child, the views of children should be heard in connection with policy decisions and actions that affect them. Under the Convention, States are required to 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." Budget 2003 should:

- Set aside funds to establish structures through which children will be encouraged and enabled to express their views in relation to the development of policies that affect them.

Article 12 of the UN Convention specifically emphasises the right of children to be heard in judicial proceedings. In many family law cases, in particular cases involving custody and access, the best interest of the child may not necessarily coincide with the interests of either or both parents. In these cases there is a need for separate legal representation in order to ensure that the independent rights of the child and the principle of 'paramount welfare of the child' are upheld.

- Earmark funding to the Department of Health and Children to establish an independent guardian *ad litem* service on a statutory basis.

### ***Play and Recreation***

The right of all children to play and recreational facilities, guaranteed under the UN Convention on the Rights of the Child, has been identified as a priority issue by the National Children's Strategy. A great many children and young people in Ireland lack appropriate or adequate play, recreation and sporting opportunities because they are in some way disadvantaged. Access may also be hindered by factors such as gender, ethnic background and disability and also by where the child is living, for example, in a rural area, a local authority housing estate, a halting site, a hostel, a juvenile detention centre or hospital. Budget 2003 should:

- Assign sufficient funding to support the implementation of the forthcoming National Play Policy and National Recreation Policy, as committed to in the National Children's Strategy

## 7 Education

Approximately 5,000 young people leave school early each year. A further 1,000 do not transfer from primary to secondary level. Educational success, particularly at second level, has a major impact on the employment and income opportunities and general life chances of children. Poverty and social disadvantage inhibits the participation, educational attainment and outcomes of a significant proportion of children. To encourage participation in education and to assist with the cost of the participating in education Budget 2003 should:

- Maintain funding for programmes addressing educational disadvantage and increase support for initiatives which aim to prevent early school leaving. Cost: €15 million
- Raise the annual Back to School Clothing and Footwear Allowance for primary school children from €80 to €120 and for secondary school children from €120 to €180 per child. Cost: €7.5 million
- Expand in-education supports such as homework clubs and book rental schemes for children experiencing disadvantage to increase support towards the cost of participating in education.
- Invest in a reformed school-meals scheme to improve children's nutrition and health and to encourage participation in education. Cost: €15 million
- Raise the income threshold for the 'top-up' maintenance grant and increase the rate to cover inflation to facilitate participation of disadvantaged students in third level education.
- Begin the phased implementation of universal pre-school education and childcare provision, prioritising children experiencing disadvantage, including Traveller children, asylum seeker children and homeless children. Cost: €20 million
- Adequately resource the Education Welfare Act, 2000 to enable its implementation.
- Increase the number of Labour Inspectors to ensure a more effective enforcement of the Protection of Young Persons (Employment) Act, 1996.

## 8 Children's Right to a Home

Children have a right to decent accommodation. Homelessness is a violation of their rights under the UN Convention on the Rights of the Child and represents a breach of the Child Care Act, 1991. Budget 2003 must ensure no interruption of the National Development Plan funding for social housing to:

- Provide social housing output of 9,000 units for 2003.
- Fully implement of Local Authority Homeless Action Plans.
- Provide good quality emergency, transitional and short-term accommodation and support services to homeless families, asylum seekers and homeless teenagers.
- End the practice of housing families with young children in B&B accommodation. In 1999, over 1,200 children were living with their families in B&Bs<sup>6</sup>.
- Support community-based services and facilities for children and young people leaving care and at risk of being placed in care.

### **Traveller Children**

A large majority of Traveller children live in conditions that are far below the minimum required for healthy child development. Budget 2003 should:

- Provide suitable accommodation, promised by the Government Task Force on Travellers, to the more than 1,200 Traveller families including approximately 3,000 children living on the roadside without suitable facilities. The provision of this accommodation is of particular urgency given the impact of the new criminal trespass legislation which threatens Traveller children, already coping with inadequate accommodation, with forcible eviction coupled with the arrest and imprisonment of their parents.

## 9 Accountability and Policy Support

Budget 2003 should provide adequate resources to meet the various commitments made to children in policies and national strategies adopted by Government.

- Ensure appropriate and adequate investment in the newly-created independent Office of Ombudsman for Children.

<sup>6</sup> Houghton, F.T. & Hickey, C. (2000) *Focussing on B&Bs: the unacceptable growth of emergency B&B placement in Dublin*. Dublin: Focus Ireland.

- Provide sufficient resources to honour commitments in the National Children’s Strategy, particularly those relating to children in poverty and social exclusion.
- Support the forthcoming National Plan Against Racism by investing in anti-discrimination and anti-racism training for those involved in the delivery of public services to ensure equal opportunities in key services including social welfare, health, education, housing and accommodation.
- Ensure sufficient funds are available to support the National Longitudinal Study, Ireland’s first long-term study of children growing up in this country.

## 10 Asylum Seekers

Article 22 of the UN Convention states that children who are refugees or asylum seekers shall “receive appropriate protection and humanitarian assistance” to ensure the realisation of their rights under the Convention and other international human rights instruments.

Recent research<sup>7</sup> has documented the negative impact of the present system of ‘direct provision’ on the integration, social and educational development of asylum-seeking children. The report includes information drawn from interviews with asylum seekers which suggests that the lack of control in relation to diet under the ‘direct provision’ policy has adversely affected the health of asylum-seeking children. Budget 2003 should ensure that asylum-seeking children enjoy the same basic rights as other children living in Ireland, in line with the principle of non-discrimination outlined in the UN Convention. through the following actions:

- Reform the ‘direct provision’ system to end material deprivation and social exclusion among asylum-seeking children.
- Increase the ‘direct provision’ supplementary welfare allowance payment to asylum seekers from the present rate of €19.05 to €38.10 per week for adults and from €8.95 to €17.90 per week for children. Cost: €4.5 million
- Provide funds to the youth work sector to enable the social integration of unaccompanied asylum seeker children.

<sup>7</sup> Fanning, B., Veale, A. and O’Connor, D. (2001) *Beyond the Pale: Asylum-Seeking Children and Social Exclusion in Ireland*, Irish Refugee Council: Dublin.

The **Children's Rights Alliance** is a coalition of 72 non-governmental organisations concerned with the rights and needs of children. The Alliance works to secure the full implementation in Ireland of the principles and provisions of the UN Convention on the Rights of the Child.

The **UN Convention on the Rights of the Child** recognises children's basic human rights, including their civil, political, economic, social and cultural rights and their right to protection from abuse and exploitation. The Convention sets forth the minimum standards necessary for the well-being of every child. The Convention also imposes obligations on the ratifying States Parties to undertake specific actions to ensure the full realisation by children of the rights stipulated in the Convention.

Children's Rights Alliance, 13 Harcourt Street, Dublin 2, Tel: 01-4054823, Fax: 01-4054826, Email: [info@cra.iol.ie](mailto:info@cra.iol.ie), Website: [www.childrensrights.ie](http://www.childrensrights.ie)

## Summary of Priority Recommendations

### 1. Child Income Support

- Implement the third stage of the Government's commitment to increase Child Benefit by €31.80 per month (€38.10 for the higher rate).
- Standardise the three Child Dependant Allowance rates currently in use and increase to a weekly rate of €25.00 per child.
- Integrate the Family Income Supplement payment into the tax system and examine the introduction of a refundable child tax credit.

### 2. Children's Health Care

- Honour the commitment in the Health Strategy to substantially expand Medical Card eligibility for children. Commence the phased extension of the Medical Card to all those under the age of eighteen, beginning with those under the age of five.
- Comply with the Government's commitment to reduce the maximum treatment waiting time for children to three months by the end of 2003.
- Increase funding for current initiatives aimed at reducing drug, alcohol and substance abuse among teenagers.

### 3. Child Protection

- Provide adequate funds to fully implement the Children First children protection guidelines and provide sufficient treatment and counselling services for children who have suffered abuse.
- Fund the expansion of the Garda Síochána Special Vetting Unit.
- Increase funding to the Health Boards to ensure effective staffing levels and management within the social work service.

### 4. Care for Troubled Children & Young Offenders

- Adequately fund the introduction of innovative community based services and programmes for children with emotional and behavioural problems.
- Abandon Government plans to open a "temporary" children's prison wing for 14 and 15 year olds at St. Patrick's Institution.
- Fund the full implementation of the Children's Act, 2001.

### 5. Children with Disabilities

- Increase the Domiciliary Care Allowance to a realistic level of at least €250 based on the support needs of the child.

- Increase investment in locally based educational facilities, care places and support services for disabled children.

## 6. Promoting & Protecting the Rights of all Children

- **Child Impact Statements:** Require the Department of Finance to withhold funding to departments unless they have drafted and submitted child impact statements, and to provide detailed child impact statements with all proposed budgets and Finance Acts and with any proposed changes in tax policy, including tax expenditures.
- **Key Statutory Bodies:** Provide adequate resources to key statutory bodies whose work focuses on children and also those bodies charged with rights protection and promotion.
- **Children's Voices:** Set aside funds to establish structures through which children will be encouraged and enabled to express their views in relation to the development of policies that affect them.
- Earmark funding to the Department of Health and Children to establish an independent guardian *ad litem* service on a statutory basis.
- **Play and Recreation:** Assign sufficient funding to support the implementation of the forthcoming National Play Policy and National Recreation Policy, as committed to in the National Children's Strategy

## 7. Education

- Maintain funding to educational disadvantage programmes and early school leaving initiatives.
- Raise the annual Back to School Clothing and Footwear Allowance to €120 (primary school children) and €180 (secondary school children).
- Expand in-education supports, such as a reformed school meals scheme and begin the phased implementation of universal pre-school education and childcare provision.
- Adequately resource the Education Welfare Act, 2000 to enable its implementation.
- Increase the number of Labour Inspectors to ensure a more effective enforcement of the Protection of Young Persons (Employment) Act, 1996.

## 8. Children's Right to a Home

- Provide good quality emergency, transitional and short-term accommodation and support services to homeless families, asylum seekers and homeless teenagers.

- End the practice of housing families with young children in B&B accommodation.
- Provide suitable accommodation to the more than 1,200 Traveller families including approximately 3,000 children living on the roadside without facilities.

#### **9. Accountability & Policy Support**

- Ensure appropriate and adequate investment in the newly-created independent Office of Ombudsman for Children.
- Provide sufficient resources to honour commitments in the National Children's Strategy, particularly those relating to children in poverty and social exclusion.
- Support the forthcoming National Plan Against Racism by investing in anti-discrimination and anti-racism training.
- Ensure sufficient funds are available to support the National Longitudinal Study.

#### **10. Asylum Seekers**

- Increase the 'direct provision' supplementary welfare allowance payment to asylum seekers to €38.10 per week for adults and €17.90 per week for children.
- Provide funds to the youth work sector to enable the social integration of unaccompanied asylum seeker children.

Children's Rights Alliance, 13 Harcourt Street, Dublin 2, Tel: 01-4054823, Fax: 01-4054826, Email: [info@cra.iol.ie](mailto:info@cra.iol.ie), Website: [www.childrensrights.ie](http://www.childrensrights.ie)