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# 1. ADMINISTRATION AND FINANCE

## 1.1 General

The Seventh Report of the Children's Rights Alliance covers the period January 2003 to December 2003.

## 1.2 Executive Committee

At the seventh Annual General Meeting of the Children's Rights Alliance, the following officers and members of the Executive Committee were elected.

Chairperson	Liam O'Dwyer	Irish Youth Foundation
Vice-Chairperson	Margaret Burns	Council for Social Welfare
Treasurer	Dr. Frank Flanagan	Mary Immaculate College
Secretary	Hilary Kenny	Irish Pre-school Playgroups Association (IPPA)
Member	Noirin Hayes	School of Social Science and Legal Studies, DIT
Member	Mary O'Connor	Children in Hospital Ireland
Member	Peter McVerry, s.j.	Arrupe Society
Member	Mary Flaherty	Children at Risk in Ireland Foundation (CARI)

## 1.3 Membership

At the end of December 2003 there were seventy-five member organisations of the Children's Rights Alliance. Amnesty and the Jesuit Centre for Faith and Justice joined the Alliance during the period January 2003 – December 2003.

## 1.4 Finance

The Alliance received funding from the Irish Youth Foundation for the End Child Poverty Coalition. The Alliance also secured funding under the Research and Evaluation strand of the Working Against Poverty Grants Scheme 2003 from the Combat Poverty Agency.

In 2003, the Alliance received substantial funding from the CPA through the National Anti-Poverty Networks Programme. From January 2004, this programme will be transferred to and administered by the Department of Community, Rural and Gaeltacht Affairs.

In addition, the Alliance was successful in securing funding from the Department of Community, Rural and Gaeltacht Affairs under the funding scheme to support the role of Federations, Networks and Umbrella bodies in the Community and Voluntary Sector. Funding for this scheme is made available from the National Lottery.

The Alliance also received funds from private sources. The Alliance expresses its gratitude to those funding agencies whose contributions have enabled the Alliance to continue its work.

### **1.5 Staffing**

Ciara Murphy, Administrative Assistant, returned from maternity leave on a part time basis in January, 2003. Phillipa Kidd joined the Alliance to provide cover while Ciara was on maternity leave and continued to work with the Alliance on a variety of tasks until April. Stacey Gutowski volunteered with the Alliance from January to March and then returned as an Intern from April until September. In July, Liz Kerrins joined the Alliance staff as the Policy and Projects Officer of the End Child Poverty Coalition. October 2003 saw the appointment of Sarah Benson to the position of Communications and Education Officer.

## 2. INITIATIVES AND ACTIVITIES

### 2.1 ACTIVITIES IN RELATION TO CHILD POVERTY AND THE ECONOMIC RIGHTS OF CHILDREN

The Children's Rights Alliance continues as an organisation to work towards securing the full implementation of the UN Convention on the Rights of the Child. Since its inception, the Alliance has sought to raise awareness of child poverty in Ireland to seek its eradication. The Alliance has worked for the elimination of child poverty by making written policy submissions and oral presentations, and by participating in working groups, convening conferences, commissioning research and authoring articles and publications. Actions carried out by the Alliance in 2003 are detailed below. In its current Strategic Plan, the Alliance identifies working towards the reform and improvement of policies affecting children who are poor, disadvantaged or otherwise marginalised as one of its main objectives. Pursuing rights-based policies for children experiencing poverty and social exclusion allows for the development of sustainable policy and legislation to safeguard children.

#### 2.1.1 National Anti-Poverty Network

The Alliance continued its work as one of ten National Anti-Poverty Networks supported by the Combat Poverty Agency during 2003.

The adoption of the National Anti Poverty Strategy (NAPS) commitment by Government in 2002 to eliminate child poverty and to reduce consistent child poverty to under 2 per cent by 2007 represents a key achievement for the Alliance. The adoption of this important target means that the Alliance has met one of its key objectives as a National Anti-Poverty Network.

The Alliance has also been successful or has made progress in attaining a number of other key objectives outlined in its 2003 NAPN work programme, namely:

- Launch and establish the End Child Poverty Coalition as the successor vehicle to the Open Your Eyes to Child Poverty Initiative, focusing principally on achieving the NAPS target of ending child poverty by 2007;
- Secure the inclusion of the commitment to end child poverty in the national partnership agreement that succeeds the Programme for Prosperity and Fairness;
- Develop, promote and monitor policies to end poverty among children;

- Achieve the adoption of an agenda and programme of work for the independent Office of the Ombudsman for Children that prioritises issues of particular relevance to the rights of children experiencing poverty or social exclusion;
- Secure the implementation of specific commitments made in the National Children's Strategy, the Health Strategy and other Government policy instruments that promote the elimination of child poverty;
- Obtain support for our child poverty policy agenda from the national political parties and the independent members of the Oireachtas.

### **2.1.2 End Child Poverty Coalition Launch**

The establishment and development of the End Child Poverty Coalition represents an important achievement for the Alliance in 2003. The Coalition is the successor organisation to the Open Your Eyes to Child Poverty Initiative and is building on the work of the Initiative (See Annual Report 2002). Coalition members include Focus Ireland, Barnardos, the National Youth Council of Ireland, People with Disabilities in Ireland, Pavee Point, Society of St. Vincent de Paul and the Children's Rights Alliance.

The Coalition's aim is to effect changes in policy that bring about the end of child poverty. Its objectives are to develop, promote and monitor policies and actions to end child poverty; promote public awareness and understanding of child poverty; provide mutual support on issues of shared concern relating to children and poverty; promote the participation of children and young people experiencing poverty in policy making; and encourage local action to end child poverty.

Minister for Children Brian Lenihan launched the Coalition on February 4th 2003 in Buswells Hotel. The launch was well attended by a broad spectrum of interests - community, voluntary, statutory and political - and there was extensive media coverage. A total of seven TDs attended with many members of the Oireachtas, who were unable to attend, lending their support to the Coalition.

### **2.1.3 Staffing and Funding for the End Child Poverty Coalition**

The Alliance has been successful in attracting and obtaining additional non-governmental funding for the work of the Coalition. The Irish Youth Foundation will support the Coalition's work over the next three years.

The Alliance assisted in the recruitment of a full-time Policy and Project Officer. Liz Kerrins was appointed in July 2003 and is based in the Children's Rights Alliance's offices.

#### **2.1.4 Generating New Learning on Child Poverty**

The Alliance assisted the End Child Poverty Coalition in the organisation of a successful half day conference on November 4<sup>th</sup> in the Royal Dublin Hotel on the policy and budgetary steps required to meet government commitments on ending child poverty in Ireland. It was a well-attended event with representatives from the voluntary, community, statutory, educational and academic sectors, along with independent researchers and policy analysts. Joan Burton, Finance Spokesperson for Labour, also attended.

Presentations were given on: child income support by John Sweeney, National Economic and Social Council; educational disadvantage by John Monaghan, Society of St Vincent de Paul; housing and accommodation by Claire Hickey, Focus Ireland; The Child and Family Study in the UK, by Alan Marsh, Policy Studies Institute; anti-poverty policy and the role of the Office for Social Inclusion, Gerry Mangan, Director of the Office of Social Inclusion; and child health and the medical card extension by Maev-Ann Wren, Journalist and author of “The Health of the Nation”.

The Alliance secured extensive media coverage of the event.

#### **2.1.5 Researching Child Poverty**

The Alliance was successful in securing funding under the Research and Evaluation strand of the Working Against Poverty Grants 2003. This funding will assist the End Child Poverty Coalition to conduct qualitative research on hearing the voices of children in relation to their views on and experiences of poverty and social exclusion. This research supports and furthers the goals and measures contained in the National Children’s Strategy.

Article 12 of the UN Convention on the Rights of the Child (CRC) says that children have the right to express their views in all matters affecting them. The National Children’s Strategy seeks to implement the CRC and has three national goals: that children will have a voice, that children’s lives will be better understood, and that children will receive quality supports and services. Understanding poverty and social exclusion from the viewpoint of children experiencing poverty and deprivation is vital to all three of these goals and therefore to the implementation of the Strategy.

The research findings will give an enhanced understanding of poverty and social exclusion from the viewpoint of children experiencing poverty and can inform the development further anti-poverty policy and initiatives such as the Well-being Indicators and the Longitudinal Study of Children and Young People. The findings will also inform the development of the next National Action Plan against Poverty and Social Exclusion, and will contribute to current and future actions and policies to end child poverty developed at national and local levels, including the social partnership process.

### **2.1.6 Development of the Sustaining Progress Special Initiative on Child Poverty**

The Alliance, a newly designated Social Partner (see 2.3), played a key role in progressing the Ending of Child Poverty Sustaining Progress Special Initiative through social partnership processes and structures. This Special Initiative aims to progress policies and practices to ensure that the NAPS, NCS and NAPincl targets on child poverty are significantly advanced over the period of the Sustaining Progress Agreement.

### **2.1.7 National Action Plan Against Poverty And Social Exclusion**

The Alliance made a submission to the Office of Social Inclusion regarding the development of Ireland's National Action Plan Against Poverty and Social Exclusion (NAPincl) in May.

The submission emphasised that NAPincl 2003-2005 must comprise a sustained, fully resourced, timetabled and comprehensive programme of action that can address the multi-dimensional nature of child poverty. The Alliance also urged that NAPincl detail the specific steps and measures that will be taken to achieve an end to child poverty by the Government's target date of 2007. The submission stressed that these measures must be both costed and funded, as Budget 2003 failed to deliver on many commitments and plans outlined in the Revised National Anti-Poverty Strategy announced less than a year earlier.

In the submission, the Alliance called for the inclusion of the following main objectives in relation to children and young people:

- Ensuring that all children and young people have a minimum adequate income
- Ensuring equal and affordable access to medical care for all children and young people regardless of income
- Implementing the provisions of the National Children's Strategy that relate to poverty and social exclusion
- Providing decent accommodation for all children and young people
- Recognising and safeguarding the rights of children and young people with disabilities
- Investing in education to reduce early school leaving and break the cycle of poverty
- Promoting and protecting the rights of all children and young people experiencing poverty or social exclusion, including children from minority ethnic and racial backgrounds

The submission also stressed the importance of developing Child Well-Being Indicators and making use of Child Impact Statements as promised in the National Children's Strategy.

### **2.1.8 Offaly Child Poverty Research Project**

The Alliance is working in partnership with the Offaly County Development Board, NUI Galway, Barnardos and the Midland Health Board on the Offaly Child Poverty Research Project, seeking to work at a local level to identify the extent of child poverty in the region and to design a local action plan to contribute to its elimination. Combat Poverty Agency's Local Anti Poverty Learning Networks is funding this project.

### **2.1.9 Awareness Raising and Information Dissemination**

The Alliance prepared public statements and press releases on child poverty issues throughout the course of 2003. In particular, the Alliance highlighted the Government's broken promises relating to child benefit and the medical card (see 2.6; 3). The Alliance worked closely with journalists and correspondents to draw attention to child poverty and to develop human-interest stories to reflect the implications of Budget 2004 and people living in poverty.

## **2.2. OMBUDSMAN FOR CHILDREN**

In December 2003, the Alliance welcomed the appointment of Emily Logan, the new Ombudsman for Children. The appointment of an Ombudsman for Children represents a major achievement for the Alliance, which has worked persistently over a period of years to realise this objective. The Alliance believes that the Ombudsman for Children can and must be a strong, independent ally who will champion the rights of children and defend their interests in all aspects of public life and policy that affect children. The Irish Ombudsman for Children joins a growing group of independent human rights institutions around the world that are charged with promoting and protecting the rights of children, in line with the United Nations Convention on the Rights of the Child.

### **2.2.1 Campaign**

2003 saw the Alliance continue its advocacy campaign to have an Ombudsman for Children appointed urging the Government to fulfil its statutory obligations under the Ombudsman Act 2002. 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 governmental commitment in December 1996. In January 1998, the UN Committee on the Rights of the Child urged Ireland to take action on this issue as part of its Concluding Observations on Ireland's performance in implementing the UN Convention on the Rights of the Child. In 1999, and again in November 2000 with the launch of the National Children's Strategy, the government made its commitment to create through legislation an independent Office of Ombudsman for Children.

In May, the Alliance held a well-attended press conference to focus public attention on the reality that seven years after it was first promised and more than a year since the passage of the Ombudsman for Children Act, 2002, the Office had still not been established and the post remained unadvertised and vacant. The Alliance secured extensive media coverage of the event.

In addition, the Alliance met with Ministers, civil servants and elected representatives to urge action on the Ombudsman for Children.

### **2.2.2 Recruitment Process**

The Alliance, in partnership with the Irish Society for the Prevention of Cruelty to Children, and on behalf of the National Children's Office, successfully tendered to organise and facilitate the involvement of young people and children in the appointment process. The Alliance had successfully campaigned to have a real and meaningful consultation with children and young people for the selection process of a suitable candidate. Children from around the country aged between 9 and 17 attended the day organised in October. In order to ensure a fair and wide representation of children living in Ireland, the following criteria were applied to the selection of the participants, including:

- Gender balance, representation across age categories and from both urban and rural society
- Inclusion of 'hard to reach' groups such as children in care, children with disabilities, Traveller children, disadvantaged children, children from minority ethnic backgrounds, young people in the juvenile justice system and young parents.

Small workshops were organised where the children, working with their facilitators, outlined what kind of person would be suitable for the job. The children voted for a panel of 16 children to be trained in interviewing skills and to represent them in the recruitment process for the position. The 16 children were involved in the interviewing of the candidates.

### **2.2.3 Research**

The Alliance commissioned an independent report by researcher Anne Colgan on the Office of the Ombudsman. This report, funded by the Combat Poverty Agency through a Working Against Poverty Grant, will examine international learning and priorities for Ireland, with particular focus on children living in poverty and social exclusion, and will be launched in February 2004. The Alliance hopes that children and young people will now have a strong, independent champion to promote their rights and best interests in connection with public policies and practices that affect children.

## **2.3 RIGHTS OF IRISH CITIZEN CHILDREN OF NON NATIONAL PARENTS**

The Alliance has been actively advocating for the rights of Irish citizen children of non-national parents in the wake of the Supreme Court's decision in the Osayande and Lobe cases (January 2003). The Supreme Court held that while children born within the State are entitled to Irish citizenship, there was no automatic right of residency here for non-national parents of such children.

Following the Court's decision, the Government decided that residency would no longer be granted on the sole basis of parentage of an Irish citizen child and that a separate procedure for making such applications would be brought to an end. That left outstanding questions of what would happen to as many as 11,000 non-national parents and their Irish children born prior to the Supreme Court decision, and what would happen to children born to non-national parents in the future.

Following these developments, the Alliance continued its campaign (begun in 2002) to insist that the government make clear what steps would be taken to ensure that the rights of Irish children be fully protected. The Alliance's involvement with this issue consisted of letters to the Minister, opinion pieces, editorials, newspapers columns, radio and tv interviews, public statements, information meetings and the steps outlined below.

### **2.3.1 Submissions to the Joint Committee of the Oireachtas on Justice, Equality, Defence and Women's Rights**

The Alliance made a submission and presented to the Joint Committee of the Oireachtas on Justice, Equality, Defence and Women's Rights in relation to the implications of the Supreme Court judgement concerning the residency rights of non-national parents of Irish citizen children in June.

In its submission, the Alliance called for a Child Impact Review to be undertaken before any Irish children are effectively exiled and urged that the Government reveal its plans for those Irish children whose non-national parents may be deported at any time. The Alliance insisted that the Government address itself to the consequences of its actions, explain how the rights of children will be protected and establish proper systems and procedures for ensuring that primary consideration will be given to the best interests of the children involved. If the Government fails to answer these questions and to put into place these administrative procedures, the Alliance cautioned that the State would find itself facing litigation for years to come from those whose rights were abrogated.

### **2.3.2 Coalition Against the Deportation of Irish Children**

The Alliance worked with other organisations and individuals advocating for the rights of such children and formed the Coalition Against the Deportation of Irish Children (CADIC). These organisations are the Immigrant Council of Ireland, Free Legal Advice

Centres (FLAC), Integrating Ireland, National Women's Council of Ireland, The Vincentian Refugee Centre, Amnesty International(Irish Section), AkiDwA - African Women's Network, Residents Against Racism, the Tallaght Partnership, , Cairde (Women's Health Project), the Irish Refugee Council, the Irish Council for Civil Liberties, the Jesuit Refugee Service and the Irish Commission for Justice and Peace, Refugee Project.

The Alliance's activities in this regard include:

- participation at information meetings for affected families
- writing to the press of the difficulties experienced by such families
- hosting press conferences
- letters to the Minister for Justice
- submission to the Oireachtas (see public policy)
- supporting affected families.

The Alliance has repeatedly called on the Government to explain how it will go about discharging its duties in relation to the needs and best interests of these children.

### **2.3.3 Information Meeting**

The Alliance co-sponsored an information meeting with its partners in CADIC in Liberty Hall in Dublin in August for non-national parents of Irish citizen children. Nearly 400 people attended the information meeting, which had to be held in two successive sessions to accommodate the crowds. The information session featured a series of legal and practical advice as to how to make applications for leave to remain as well as information on the Constitutional rights and human rights of the Irish children.

### **2.3.4 Public Awareness Raising**

At a press conference on Universal Children's Day, November 20, the Alliance and its partners in CADIC urged the Minister to adopt the recommendations made by the Human Rights Commission concerning families, whose residency applications are pending (in many cases for years) and regularise their residency status without further delay.

A letter was sent to the Minister for Justice urging him not to deport up to 11,000 Irish citizen children and their families. This appeal came as the Department of Justice had started issuing deportation orders against the immigrant parents of Irish citizen children. CADIC called on the Minister to halt the deportations and immediately put in place fair and transparent procedures for future residency applications. These procedures would have at their core respect for the rights, welfare and best interests of the Irish citizen child, and recognition that citizenship confers equal constitutional rights on all Irish children, without regard to parentage.

The Alliance secured widespread TV, Radio and Newspaper coverage of the event.

## **2.4 NATIONAL CHILDREN'S STRATEGY**

One of the principal aims of the Alliance is to promote the implementation of the National Children's Strategy (NCS). The Alliance has continuously monitored the NCS and been actively involved in its implementation structures. The Alliance is well placed in the Strategy's structures to contribute positively to the development of child well being indicators, child impact statements and the work being undertaken on the National Longitudinal Survey on Children.

### **2.4.1 National Children's Advisory Council: Monitoring And Promoting Implementation**

The Alliance continued to monitor the Government's progress in implementing the NCS commitments as a member of the National Children's Advisory Council, including: development of child well-being indicators; production of bi-annual State of Children in Ireland Report; increase in Child Benefit payments; reduction in hospital waiting lists for children; effective enforcement of child labour legislation; implementation of the Report of the Task Force on the Traveller Community; addressing of issues regarding young refugees and asylum-seekers; and implementation of a national strategy for youth homelessness.

In 2003, the Alliance undertook an assessment of progress made in relation to the Strategy's commitments. The assessment was based on the data and comments presented in National Children's Office (NCO) Monitoring Report on implementation of the National Children's Strategy and on information assembled by the Alliance. The Alliance noted that efforts to monitor and evaluate progress made in implementing the Strategy are immediately compromised by the nearly complete absence of timetabled commitment implementation action plans measurable against agreed criteria. Such plans, if developed, would outline the steps to be taken, the resources to be allocated and the targets to be met in relation to each commitment in Strategy. Such plans would be measurable against criteria agreed to by the NCO and the statutory body responsible for implementation. Optimally, these plans and agreed criteria would be incorporated in brief, transparent memoranda of understanding entered into by the NCO and the relevant statutory body and endorsed by the Department of Finance. If developed, these action plans would enable parties, statutory and non- statutory alike, to conduct more informed and objective evaluation exercises in the future and, most importantly, would enable adjustments and interventions to be made in a timely fashion to ensure that momentum is sustained and that maximum progress is made in implementing the Strategy.

In addition, the Alliance promoted the development of a National Play and Recreation Policy that addresses the play and recreation needs of children experiencing poverty and social exclusion; advised the Minister for Children on policies and issues of particular relevance to children living in poverty and supported the development of action plans with specific timeframes to implement various goals and objectives outlined in the Strategy that relate to the rights and needs of poor and disadvantaged children.

### **2.4.2. Activities 2003**

In 2003 the Alliance engaged in the following activities:

- Published the '*Hearing Young Voices*' consultation guidelines to help relevant Government departments, statutory agencies and NGOs to meet their responsibilities under Article 12 of the UN Convention on the Rights of the Child and Goal One of the National Children's Strategy. The Alliance continues to work with the National Children's Office on the further printing of the consultation guidelines in 2004, and continues to support member organisations in consulting with children
- Advised and assisted member groups on their policy submissions to the National Children's Strategy and in relation to the work of the National Children's Office
- Assisted in the recruitment of an independent Ombudsman for Children
- Established the End Child Poverty Coalition.

### **2.4.3 Alcohol Use and Misuse**

In addition, the Alliance, as a member of the National Children's Advisory Council, advised the Minister for Children on issues around alcohol use and abuse by young people. The Council appointed Lynn Peyton as a consultant to coordinate the consultation and write the Council's report to the Minister. The Alliance's Executive Committee met with Ms Peyton in August and gave their input. The Alliance invited comment from Alliance members to identify particular areas of concern relating to the use and abuse of alcohol by young people.

### **2.4.4 Children First - National Guidelines**

The National Children's Advisory Council commissioned a report on the implementation of the Children First National Guidelines for the Protection and Welfare of Children in early 2003. This report would assist the Council in advising the Minister for Children. The Chief Executive sat on the reference group that oversaw this project.

The report found that: interdepartmental working arrangements were not clear; there was differential compliance among Health Boards and a lack of clarity about ultimate accountability for the discharge of their responsibilities to fully implement Children First; there appeared to be little awareness of Children First among children, young people and parents; and the level of awareness among voluntary organisations, community groups and the private sector was variable.

## **2.5 BUDGET 2004**

The Alliance's Pre-Budget Submission 2004 highlighted the challenges surrounding a range of supports including: Child Benefit; Child Dependant Allowance; the Medical Card for Children and Back to School Clothing and Footwear Allowance. The Alliance

called on the Government to honour its commitment to achieve the National Anti Poverty Strategy Goal of ending child poverty by 2007.

The Alliance also raised their concerns at the Community and Voluntary Pillar meeting with the Minister for Finance and again in a presentation to the Department of Social and Family Affairs Pre-Budget Forum in October.

### **2.5.1 Child Benefit**

The Alliance sought substantial increases in the level of Child Benefit and Child Dependent Allowance paid to families to ensure income adequacy and alleviate child poverty and continued to highlight the inadequate progress that has been made to date. Sustaining Progress states, *“the planned multi-annual increases in Child Benefit will be completed in 2004 and 2005.”* It is important to remember that the *“planned multi-annual increase”* referred to in this commitment is actually the increase promised but not delivered in Budget 2003.

Budget 2004, regrettably, did not deliver the funding necessary to make the required progress in meeting government pledges on child poverty. The Government did not comply with commitments on Child Benefit that would have required an increase of just over €24 per month in the basic rate of Child Benefit over the two-year period. Budget 2004 provided just €6 per month – roughly half the minimum amount required to reach the promised level by 2005. As a result, compliance with Sustaining Progress can only be achieved if the Child Benefit increase is tripled in next year’s budget. The Sustaining Progress Child Benefit commitment has now been placed in serious jeopardy, and an unnecessary expenditure pressure has been placed on Budget 2005 that will undoubtedly have a negative knock-on effect on Government follow-through on its other commitments, particularly in the area of social welfare.

The impact on children caused by the failure to meet Child Benefit commitments might have been partially mitigated had Budget 2004 done something in relation to Child Dependant Allowance, the child income support instrument serving more than 300,000 children in low-income households. Instead, CDAs were frozen again at the level they have been at since 1994.

Seeking to ensure that the promised Child Benefit level is reached in Budget 2005 will be part of the work of the Alliance for 2004.

### **2.5.2 Medical Card**

The Children’s Rights Alliance called on the Government to keep the promises made in the Health Strategy (2001) and the Programme for Government to extend the Medical Card to an additional 200,000 people living in poverty, with an emphasis on families with children. The Alliance issued a press release on the Medical Card to exert pressure on

the Government to honour its promise. However, Budget 2004 failed to deliver on the commitment. This represents the third year in a row that the Government adopted a budget which did nothing to advance the commitment made in the National Health Strategy *Quality and Fairness*, reiterated in the Programme for Government and reinforced by Sustaining Progress, which states as one of its key principles that “*action is now required to implement the key social inclusion and equality strategies already in place.*” Sustaining Progress also explicitly references implementation of the Health Strategy and identifies Primary Care as a major priority within the health services.

Inaction on the Medical Card commitment means that the cost of Primary Care will remain a major obstacle to equal access to health care for children. It means that the Government once again will not take the steps promised to improve the health of low-income children. As a result, families on very low incomes find themselves having to allocate up to a third or more of their weekly income to cover the cost of a visit to the GP if a child gets sick.

At the same time, however, the payment level after which people could apply for a refund under the Drug Payments Scheme has been increased by 10%, and A&E charges have been hiked by 12%.

Instead of expanding income eligibility for the Medical Card, the Government continues to steadily reduce it, with the proportion of the population eligible for medical cards on income grounds now under 28%, the lowest level since the scheme was introduced in 1972.

In its Pre-Budget Submission, the Alliance also called on the Department to begin to extend the Medical Card to all children by rolling it out, on a phased basis, starting with children under the age of five.

### **2.5.3 Cutbacks**

Budget 2004 also included and was accompanied by a number of cutbacks and regulatory changes in the areas of rent supplement, one-parent family payment, crèche and dietary supplements and child dependant allowance. Expenditure in these areas is to be reduced by more than €55 million with benefits to be reduced or denied to an unidentified number of people currently receiving social welfare assistance. These changes were announced without consultation and with no indication that any planning had been done or preparations made to ensure that such changes would not simply exacerbate and increase the suffering of those living in poverty.

The harsh consequences of these rash measures are now becoming evident:

- More lone parents will have to live in B&B accommodation, which is completely unsuitable for families and children. Already about 1,000 children are living in B&Bs in the Dublin area

- The six-month eligibility rule will create confusion among those with housing needs and substantial delays in getting into accommodation
- 18 year-olds leaving state care who already face an extraordinary risk of homelessness will find it even more difficult to find accommodation in the rented sector
- Community welfare officers will be required to administer a new regulatory framework they have said is unrealistic and contrary to the needs of those people needing their assistance

When measured against those minimum standards of performance, Budget 2004 breached the provisions and principles of Sustaining Progress.

#### **2.5.4 Rent Supplement Campaign**

The Alliance criticised these 16 social welfare cuts (outlined in the Book of Estimates) in a press release, as they will hurt children of lone parents and contribute to increasing homelessness. Under the Estimates, the transitional half-rate payment of the lone parent family allowance to lone parents who take up employment and earn more than €293 per week is to be stopped. The Alliance highlighted that cutting this assistance will create a disincentive to take up employment and will heighten the overwhelming vulnerability of children in lone parent families to poverty.

In addition, the Alliance joined with thirteen other organisations representing lone parents, the elderly, refugees and people who are homeless and called on Government to withdraw the proposed restrictions on rent supplement. The Department's new restriction insists that applicants for rent supplement must have been renting for at least six months. These restrictions will have a catastrophic effect on weak and exposed sections of society.

The group, which includes the Children's Rights Alliance, Threshold, Focus Ireland, Society of St Vincent de Paul, Jesuit Centre for Faith and Justice, Irish Refugee Council, National Youth Council of Ireland, OPEN and Cherish, told the Minister that by restricting eligibility the government will cause hardship and avoidable homelessness.

#### **2.6 JUVENILE JUSTICE**

The Alliance expressed disappointment at the slow and selective progress in implementing the Children Act, 2001 and the Government's emphasis on detention facilities over preventive measures in its December 2002 submission to the National Crime Council. The Alliance continued in 2003 to highlight concerns relating to the implementation of the Act and persisted with its emphasis that the Act's provisions that support care, counselling, early intervention and other community and family based assistance should be implemented as a matter of urgency.

In a press release, the Alliance highlighted that the 2004 budget for juvenile justice programmes stands in sharp contrast with stated Government policy in this area and with the resource requirements of implementing the Children's Act 2001. Cuts in the Community Service Orders Scheme and Educational Services of nearly 8% (including the impact of inflation) will only undermine efforts at prevention, early intervention and diversion - all of which are at the policy core of the Children's Act. From a financial standpoint, the failure to adequately fund these services is incomprehensible, since any short-term savings will be statistically insignificant when compared to the long-term costs to the taxpayers and to the victims of crime in connection with property loss, the diversion of Garda resources and the enormous expenses associated with prosecution and incarceration.

The Budget cuts suggest a deep indifference to taking the already identified and agreed steps required to seriously address youth crime and juvenile justice.

### **2.6.1 Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment**

In April 2003, the Alliance welcomed the Government's decision to abandon plans to open a "temporary" children's prison wing for 14 and 15-year-olds at St. Patrick's Institution. The Alliance had expressed its concerns and opposition to the children's prison to the Minister for Children and to the office of the Minister for Justice back in 2002. The campaign included bringing the issue to the attention of the Council of Europe's Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT). The CPT, in its most recent periodic report to the Irish government, raised concerns about the proposed facility, representing the first time the CPT had taken up the issue of juvenile justice in its reviews of Ireland's performance under the Convention.

### **2.6.2 Garda Inspectorate**

The Alliance sent a letter in January to the Minister for Justice, Equality and Law Reform in relation to the Government's plan to replace the Garda Síochána Complaints Board with a new Garda Inspectorate to independently review allegations of police misconduct.

The Alliance expressed its concern that the Inspectorate's investigative duties will only extend to "the most serious allegations," leaving the majority of complaints against Gardaí, presumably including those made by young people concerning Gardaí harassment and brutality, categorized as "minor disciplinary matters," to continue to be investigated internally by fellow Gardaí. Particular concern was expressed about juveniles who have been detained for questioning by Gardaí without a parent or other adult being informed. The Alliance urged the Minister to extend the remit for the proposed Inspectorate to allow all citizens, including all minors, to have their complaints,

regardless of the severity of the complaint, heard by the independent board and to ensure that adequate resources be allocated for this purpose.

The Alliance supported the recommendation of the Human Rights Commission that the new Garda complaints system be modelled after the Office of Police Ombudsman in Northern Ireland, widely recognised for its effectiveness.

### **2.6.3 Penalising Parents For Young Offenders Unrealistic**

In October 2003, the Alliance issued a statement speaking out against a call by the Minister of State at the Department of Justice, Mr Willie O' Dea urging judges to use the powers of the Children Act to hold parents to account for the actions of young offenders.

The Alliance stressed that the law designed to fine the parents of children who have committed offences would have no meaningful impact on the lives of young offenders or on reducing rates of crime. It could even act as an incentive for parents to further distance themselves from the lives of their children to avoid any financial liability. The Alliance also stressed that it was likely that there would be inconsistencies in the application of the law and it would raise questions about whether States agencies should face fines for children in their care who come before the courts.

The Alliance argued that emphasis should be placed on implementing the provisions of the Children's Act which support care, counselling, early intervention and other community and family based assistance.

### **2.6.4 Irish Juvenile Justice Alliance**

The closure of the open young male prison, Shanganagh Castle prompted the Alliance and a number of interested organisations and individuals to come together to form a new group, the Irish Juvenile Justice Alliance (IJJA). The group comprises organisations such as the Irish Penal Reform Trust, the Irish Council for Civil Liberties, the Children's Rights Alliance, along with professional workers in the system, academics, human rights activists and concerned individuals. The Alliance works towards reforming the juvenile justice system and addressing particular human rights violations within the system.

The IJJA criticised Budget 2004's failure to support youth crime prevention programmes and services challenging the Government's commitment to implementing an effective strategy on youth justice, stating that the combined effect of budget cuts in key areas of prison programming and a failure to increase funding to youth programmes in the community will result in a decrease in services to those young people most at risk to coming into conflict with the law.

## **2.6.5 Juvenile Justice Articles**

In April 2003 the Alliance published an article for Working Notes, the publication of the Jesuit Centre for Faith and Justice entitled Juvenile Justice, Child Care and the Children Act 2001.

## **2.7 DESIGNATION OF THE ALLIANCE AS A NEW SOCIAL PARTNER**

The Department of the Taoiseach designated the Alliance a new Social Partner in early 2003, following a successful Alliance application which was based on a determination by the Department of the Taoiseach that the Alliance met its criteria regarding national, representative and policy making capacity. The Alliance is now a member of the Community and Voluntary Pillar and has a seat in its own right on the National Economic and Social Forum. The Alliance welcomes the fact that for the first time in the history of social partnership in Ireland, all Irish children, including Traveller children, asylum seeking children and children in care have a representative voice in the national partnership process.

### **2.7.1 Consultation with Members**

The Alliance held informational meetings with its member organisations to help facilitate their engagement in the Alliance's participation in social partnership. The Alliance provided members the opportunity to prioritise Alliance involvement with the Ten Special Initiatives outlined in *Sustaining Progress* (the successor agreement to the PPF). The result was that members ranked as high priority the Special Initiatives on Care, Ending Child Poverty, Educational Disadvantage and Housing and Accommodation. Members ranked as medium priority Alcohol and Drug Misuse, Migration and Interculturalism and Long-term unemployment and redundancy. Of lowest priority were Waste Management and Insurance.

### **2.7.2 Response to Special Initiative Scoping Papers**

The Alliance made written submissions in relation to four of the Special Initiative Scoping Papers: Ending Child Poverty, Educational Disadvantage, Housing and Accommodation and Alcohol and Drug Misuse. The Alliance also made oral submissions in relation to the Care and above-mentioned Special Initiatives in bi-lateral meetings with the Department of the Taoiseach and through Steering Group meetings. It urged the Government to outline commitments to take specific actions; to develop timetables for those actions; and mechanisms for measuring results.

### **2.7.3 Housing Forum**

Nominated and supported by the Alliance, the End Child Poverty Coalition Policy and Project Officer, Liz Kerrins, represents the Community and Voluntary Pillar at the Housing Forum. She was elected through the Community and Voluntary Pillar of the social partnership process.

The Housing Forum was established under the Programme for Prosperity and Fairness and its terms of reference include providing the social partners with an opportunity to contribute to housing policy development, providing the Department of Environment, Heritage and Local Government with an arena for obtaining views and feedback on housing issues and facilitating reporting on the progress of housing objectives identified in Sustaining Progress. The Forum is chaired by the Minister for Housing and Urban Renewal, Minister Noel Ahern. The first meeting took place in December 2003.

## **2.8 ‘HEARING YOUNG VOICES’ GUIDELINES**

The Alliance, in conjunction with the National Youth Council of Ireland, undertook a major research project on consultation with children, particularly those in poverty and social exclusion. The research culminated in the publication of the major report, *‘Hearing Young Voices’* (2002), which identified principles and models of good practice for consulting with children and young people in relation to public policy development, including enabling those experiencing poverty or social exclusion to be heard. The research was undertaken on behalf of the *Open Your Eyes to Child Poverty Initiatives*.

*Hearing Young Voices Guidelines for Consultation* were also developed and published in February 2003 and distributed to statutory and voluntary bodies, policy makers and researchers. The resource materials are designed to provide information and guidance to public policy-makers and policy influencers, funders, practitioners and children/young people, with particular reference to those who will have a direct role to play in consultative processes that enable children and young people to contribute to relevant public policy developments in Ireland.

The materials are arranged in an “information pack” format and include a full colour A3 poster for children and young people that raises awareness of their right to be consulted and affords them an understanding of what they should expect from a consultation that is consistent with good practice. The Alliance believes these materials will help statutory agencies and NGOs with projects designed to help children be heard. It also hopes these findings will help relevant Government departments, statutory agencies and NGOs to meet their responsibilities under Article 12 of the UN Convention on the Rights of the Child and Goal One of the National Children’s Strategy.

In an important development reflecting the quality of the research and guidelines, the National Children’s Office has decided to reprint the Guidelines in 2004 and to

disseminate them to a wider audience, in order to advance one of the key National Goals of the National Children's Strategy.

### 3. OTHER POLICY DEVELOPMENT

During 2003, the Alliance made public comment in the form of submissions on a wide range of other issues, including the Children's Advertising Code, Education for Persons with Disabilities Bill, Child Protection, Vetting, Adoption, Child Impact Statements, Legal Aid Board and the EU Charter of Fundamental Rights. It also made public comment on Early Childhood Education, the Charter of Rights for the Island of Ireland, the proposed withdrawal of Child Benefit from asylum seekers and dilapidated school facilities.

#### 3.1 CHILDREN'S ADVERTISING CODE

The Children's Rights Alliance made two submissions in 2003 to the Broadcasting Commission of Ireland in 2003 in response to its three-phase process of consultation to develop a children's advertising code.

Section 19 of the Broadcasting Act 2001 requires the Broadcasting Commission of Ireland (BCI) to develop a number of codes in relation to advertising and programming content. The Act specifies that the Commission must give priority to the development of a broadcast advertising code specifically for children's advertising. The code will cover advertising, sponsorship and other forms of commercial promotion that are likely to be of direct or indirect interest to children. In this regard, the code will specify standards to be complied with and rules and practices to be observed.

In Phase I of the development of the code, the Alliance successfully called on the BCI to construct a code in line with Ireland's obligation under the UN Convention to provide a duty of care to all those under 18 years old. This is in line with the Article 1 of the UN Convention on the Rights of the Child

The Alliance also strongly urged the Commission that 'children's advertising' should be defined as all advertising that children see and that this should be a guiding principle governing the code. The Alliance argued that children's advertising is not merely that which is directed at children or that which may appeal to children or that in which children appear. Regrettably, the Commission has decided to adopt a more narrow definition however, namely *'that which promotes products, services, or activities that are deemed to be of particular interest to children and/or is broadcast during and between children's programmes.'*

In Phase II of the development of the code, the Alliance called on the Commission to ban all commercial broadcast advertising targeted at children under the age of 12. Under the UN Convention on the Rights of the Child, States are obliged to protect the child "from information and material injurious to his or her well being". The Alliance maintains that this obligation can best be met by prohibiting advertising specifically targeted at children under the age of 12.

The Alliance also called for restrictions on alcohol advertising. International research indicates that advertisements for alcohol have a high appeal to children and young people, being considered humorous, stylish, having plenty of action and using music appealing to children and young children. Drinking patterns among Irish children and young people represent a serious threat to their health and well-being in both the short and long term. Article 24 of the UN Convention on the Rights of the Child requires the Government to take effective steps to ensure that children enjoy the highest attainable standard of health. Banning broadcast advertising of alcohol products would represent an important step in achieving that goal and in promoting the best health for children.

In addition, the Alliance has called for an end to junk food advertising aimed at children under 18. Obesity and illnesses linked to a poor diet, such as type II diabetes, represent a growing public health problem in Ireland and a threat to the well-being of children. The type of food that is promoted in advertising is often greatly at variance with the requirements of a nutritious diet, as recommended by public health experts.

The Alliance also advocated strongly for the BCI to consult with children. They have been receptive to the Alliance's suggestion and will host a forum in January 2004 providing children and young people with the opportunity to voice their opinions on the development of the Code.

The Alliance is waiting the outcome of Phase II and will make a further submission to Phase III of the development of the Code in 2004.

### **3.2 EDUCATION FOR PERSONS WITH DISABILITIES BILL**

The Alliance made a submission in February to the Department of Education and Science in relation to the proposed Education for Persons with Disabilities Bill 2002. The Alliance called for the adoption of rights-based legislation consistent with the provisions of the UN Convention on the Rights of the Child and the goals of the National Children's Strategy.

In its submission, the Alliance made a series of recommendations and proposed amendments to the Bill. It recommended that the legislation incorporate recommendations from *A Strategy for Equality*, the Report of the Commission on the Status for People with Disabilities and the Disability Legislation Consultation Group's Proposals for Core Elements of Disability Legislation (February 2003), particularly in relation to education. The legislation should be fully compatible and, where necessary, integrated with the proposed Disability Bill.

The amendments proposed included:

- Establishing a statutory right to an assessment of need specifying a time scale for early intervention

- Lowering the definition of a “child” from 3 years to birth
- Informing and consulting the child and his or her parent/s at each stage of the education plan for that child
- Including in the Bill mention of educational and care facilities, pre-school facilities and special schools
- Clarifying the criteria used to determine whether an individual Education Plan will be prepared by the principal of the school or the special educational needs organiser
- Carrying out a periodic reassessment of the nature and extent of the child’s disability in order to alter the Education Plan accordingly
- Adding further provisions to support persons with disabilities over the age of 18 years to access higher, further or continuing education

Other issues that the Alliance addressed in its submission included provisions to address issues of behavioural difficulties and early school leaving, a mandatory tracking system to monitor the progress of each child, the inclusion of a section in the Bill on the provision and standard of training of special education personnel, access to mainstream certification for those in special education settings, the implementation of a timescale in various areas covered in the Bill to prevent excessive delay and the implementation of a five-year legislative review

In September, following publication of the Education for Persons with Disabilities Bill 2003, the Alliance made a second written submission. Again, the Alliance proposed a series of amendments, calling for a widening of the definition of disability, further consultation with students and their parents, further clarity in relation to individual Education Plans and clarity in relation to how the Bill would apply to pre-school age children and to students over the age of 18 in higher, further or continuing education.

The Alliance also called for provisions to address the issues of intervention, discipline, suspension or expulsion from school of children and young people who display challenging behaviour and the related issue of early school leaving. It also called for a mandatory tracking system to monitor outcomes for each child and a section in the Bill on the provision and standard of training of personnel. Furthermore, the Alliance urged that the curriculum allow for flexibility, additions and adaptations to accommodate students with disabilities at various educational levels.

In October, the Alliance’s Chief Executive addressed the Joint Committee of the Oireachtas on Education and Science in relation to the Education for Persons with Disabilities Bill, stating that the provision of educational services must be based on the individual needs of the child and not be limited by external considerations such as changing priorities, the current economic climate or the numbers of children with disabilities seeking support in a particular year. The Alliance took the opportunity at the meeting to draw the Committee’s attention to the language found in several sections of the Bill, most notably Section 12.

Section 12 addresses the duty of the Minister for Education and the Minister for Health and Children to make resources available to implement the educational plans prepared in respect of children with special educational needs. However, instead of merely asserting the obligation that arises out of the entitlement recognised by the legislation, Section 12 limits the obligation to provide resources by making it contingent upon the consent of the Minister for Finance, and by linking that consent to the formulation of policies by the Ministers in question. This provides the Minister considerable discretion and authority to withhold his or her consent.

In order to correct this deficiency in the Bill, the Alliance proposed that the phrase ‘with the consent of the Minister for Finance’ and related text be deleted.

### **3.3 CHILD PROTECTION**

#### **3.3.1 Child Protection Policy for the Catholic Church**

The Children’s Rights Alliance made a submission in December 2003 to the Working Group on Child Protection Policy for the Catholic Church to contribute to the development of a comprehensive and integrated child protection policy for the Irish Catholic Church. This policy is set to encompass all Church-related activities and personnel (including volunteers) in Ireland, North and South.

In its submission, the Alliance called on the Working Group to ensure that the policy and procedures developed are in full compliance with the principles and provisions of the UN Convention on the Rights of the Child. Moreover, the Alliance warned against deviating from the official reporting mechanisms established in the Children First – National Guidelines for the Protection and Welfare of Children (1999) guidelines and Our Duty to Care (2002) guidelines.

The Alliance also recommended that the Church’s protection policy and procedures must include a clear commitment to the development and implementation of training and awareness raising programmes in relation to their objectives and requirements and that child friendly materials be created which are sensitive to children with special needs and disabilities, and children for whom English is not their first language.

In addition, the Alliance called on the Working Group to support the expansion of the Garda Síochána Special Vetting Unit to enable the vetting of all prospective employees and volunteers whose work will bring them into direct contact with children.

#### **3.3.2 Vetting Campaign**

The Alliance supported the Irish Society for the Prevention of Cruelty to Children’s public campaign on the issue of Vetting during 2003.

In addition, the Alliance recommended that the newly appointed Ombudsman for Children support the establishment of a comprehensive vetting system to enhance child safety and protection.

In addition, the Alliance raised the issue of vetting on numerous occasions with the Minister for Children and in the context of the work of the National Children's Advisory Council. The Alliance also focused media attention on the issue of Garda vetting and child protection.

### **3.4 ADOPTION**

The Alliance made a submission to the Department of Health and Children on the Adoption Legislation Consultation Discussion Paper in August 2003. In its submission, the Alliance called for adoption legislation and practice that reflects the four fundamental principles of the UN Convention on the Rights of the Child, namely respect for the best interests of the child, the right of all children to life, survival and development, the right of all children to express their views on all matters affecting them and the right of all children to enjoy all the rights of the Convention without discrimination. The Alliance also cited Article 21 of the Convention that obliges State Parties to adopt a system of both domestic and inter-country adoption that ensures the best interest of the child. The Alliance further identified three other articles of the Convention that have direct relevance to the area of adoption, the right to identity, preservation of identity, and the right to have contact with parents.

In its submission, the Alliance expressed its support of the recommendation made by the Review Committee on Adoption Services that 'all children should be eligible for adoption irrespective of the marital status of their parents', as it argued that the current adoption legislation is in violation of the non-discrimination principle enshrined in Article 2 of the Convention. The Alliance also supported the introduction of;

- a more open system of adoption on the grounds that it would facilitate the child's right to know his or her origins and identity and would allow pre-planned and controlled access to birth parents, which may assist adopted children in resolving issues of loss and permanent separation
- a right to access to birth records, including their original birth certificate, in line with Articles 7 and 8 of the Convention and Article 40.3 of the Constitution.

It also recommended that a guardian ad litem be appointed during adoption proceedings to ensure that the child's interests are adequately represented. In relation to foreign adoption, the Alliance supported the incorporation into domestic legislation of the 1993 Hague Convention on Protection of Children and Co-operation in respect of Intercountry Adoption.

## **3.5 EUROPEAN UNION**

### **3.5.1 EU Charter Of Fundamental Rights**

The Alliance made a submission in February to the European Movement Ireland on the Charter of Fundamental Rights of the European Union underlining that the Charter is a necessary step in reinforcing protections listed in the UN Convention on the Rights of the Child (UNCRC). Although Member States that have ratified the UNCRC are bound by it, the EU as a body is not.

The Alliance suggested that incorporating the UNCRC into the European Charter would

- help clarify Article 53 of the Charter to include children’s human rights as protected by the UNCRC;
- enable a child perspective to be mainstreamed within all EU policies and legislation;
- strengthen democracy in the EU by facilitating the participation of all citizens, including children, in EU decision making.

The Alliance additionally supported the draft amendment to the Charter proposed by Euronet, the European Children’s Network which states that the European Union should take into account the best interests of children in all its Treaties.

When asked if the Charter should form the basis of an EU Constitution, the Alliance noted that an EU Constitution must address itself to the socio-economic rights of the 70 million people, including 17 million children, living in the EU who are currently experiencing poverty and social exclusion. It proposed that Article 3 of the draft constitution should be amended to include the eradication of poverty and social exclusion, with a particular emphasis on child poverty, as an objective of the EU.

### **3.5.2 European Convention Of Human Rights**

On 16 January 2003 the Alliance’s Chief Executive testified before the Joint Committee of the Oireachtas on Justice, Equality, Defence and Women’s Rights on the then pending European Convention on Human Rights Bill (2001). The Alliance welcomed the Bill, as it will give further effect to the European Convention in Irish law. The Alliance urged, however, that the European Convention be incorporated in a manner that would give it the full force of Irish law rather than allowing it to function only on the proposed “interpretive level”, thereby setting a bad precedent for the incorporation of other vitally important international human rights instruments such as the UN Convention on the Rights of the Child. The Convention was ratified by Ireland more than fifty years ago and was only incorporated into Irish domestic law in December 2003.

### **3.5.3 Children's Rights In EU Constitution**

The Alliance supported and campaigned for the recognition of children's rights in the development of the European Union's Constitution. During the negotiation process amendments were put forward to delete the proposed commitment to children's rights to be enshrined in the Constitution. The Alliance and its European children's rights allies successfully opposed the proposed deletion. As a result, the pending Constitution contains the first-ever explicit recognition of children's rights in any European Treaty.

### **3.6 CHARTER OF RIGHTS FOR THE ISLAND OF IRELAND**

In 2003, the Alliance called for the strongest possible charter of rights for the island of Ireland. The Alliance sent letters to its members and to other relevant organisations, asking them to sign statements in support of a Charter of Rights that will make human rights a genuine reality in the lives of everyone living throughout the island of Ireland and requested members and other recipient organisations to return signed statements of support to the Alliance office.

Under the Good Friday Agreement, the Irish Human Rights Commission and the Northern Ireland Human Rights Commission are authorised to develop a Charter of Rights that would apply to everyone living in the island of Ireland.

In June, a pre-consultation document was distributed by the Joint Committee of the Northern Ireland Human Rights Commission and the Irish Human Rights Commission to a limited number of NGOs, including the Alliance, suggesting three possible models that could be followed in designing a Charter of Rights.

Through a letter signed jointly with the National Youth Council of Ireland, the Children's Law Centre in Belfast and Save the Children in Belfast, the Alliance expressed its misgivings to the Commissions in relation to the pre-consultation document and its concern that the Commissions might favour a model of rights that would not be legally enforceable in the courts. The groups have urged the Commissions to remain open to other Charter models until a full consultation has been undertaken, and to ultimately embrace an approach that would make the Charter legally enforceable.

### **3.7 EARLY CHILDHOOD EDUCATION**

At a Plenary Session of the Social Partners, the Children's Rights Alliance made a formal submission highlighting the inadequacy of the focus adopted by the Task Force on Lifelong Learning and called for the prioritisation of actions and resource provisions on a more comprehensive basis and among population groups less connected to employment and the workplace. The Task Force has focused primarily on adults, and principally on those adults who could be viewed within the prism of an "employment related perspective". The Alliance called on the Task Force to focus its efforts in a number of key areas, namely, Early Childhood Education and Development, People with Disabilities, Older Adults and Early School Leavers.

### **3.8 MENTAL HEALTH**

The Alliance participated in Amnesty International's (Irish Section) initiative calling for urgent action in relation to human rights and mental health in Ireland. The campaign was launched with the publication of *Mental Illness: The Neglected Quarter*, which included a chapter on Children and Adolescents. The Children's Rights Alliance provided assistance in the preparation of the report and the related publication, *Mental Illness and Children*. The report was launched on September 4<sup>th</sup> at Buswells Hotel in Dublin, and speakers included Seán Love, Amnesty Director, Dr Colette Halpin, Irish College of Psychiatrists, Maria Corbett, Policy Officer of the Children's Rights Alliance and an 18 year old mental health service user.

Under the UN Convention on the Rights of the Child, the Irish Government is obliged to provide a specialised mental health regime to identify, treat and protect children under 18 years with or at risk of mental illness. Recent research suggests that up to 20% of children under 18 years will experience a disabling mental illness during their development, and there is increasing occurrence of childhood depression and suicide. Despite the best efforts of staff of mental health, childcare, educational and other services, the provision of children's services related to mental health remain inadequate.

In August 2003, the Government established an Expert Group on Mental Health Policy to prepare a comprehensive mental health policy framework for the next ten years, to recommend how the services might best be organised and delivered and to indicate the potential cost of its recommendations. The group has been asked to examine the role of medication and complementary therapies and measures to reduce the stigma attached to mental illness in addition to many other areas in an attempt to reform the existing Government policy, Planning for the Future, which dates back to 1984. The group is carrying out public consultation, including consulting with service users and service providers and is expected to produce a report by mid 2005.

### **3.9 CHILD BENEFIT - ASYLUM-SEEKING CHILDREN**

The Alliance, St. Vincent de Paul, the Irish Refugee Council and the Vincentian Refugee Centre campaigned successfully against the proposal in early 2003 to withdraw Child Benefit from asylum-seeking families. Asylum-seekers, denied the right to work, study or even to cook for themselves, find themselves in a cycle of increased poverty and social exclusion. The withdrawal of Child Benefit would have further deprived these children of education, health and general development opportunities by ensuring that they will grow up in an environment of poverty.

### **3.10 WAR AND IRAQI CHILDREN**

On 14 February 2003, the Alliance provided the Taoiseach Bertie Ahern with a copy of the report “*Our Common Responsibility: The Impact of a New War on Iraqi Children*” which was prepared and published by the Canadian-led International Study Team. The Alliance issued a press release and urged the Taoiseach to oppose a military attack on Iraq to prevent thousands of casualties among Iraqi children. The Alliance secured coverage in the print media and on local radio.

## **4. OTHER MEMBER SUPPORTS**

### **4.1 FAMILY DIVERSITY INITIATIVE**

The Alliance as a member of the Steering Group continued to support the work and objectives of the Family Diversity Initiative. 2004 sees the Year of the Family and the Alliance together with its partners, Cherish, OPEN, Gay and Lesbian Equality Network, Age Action Ireland, the Forum of People with Disabilities, Treoir, Older Women's Network, NCCRI and Focus Ireland will seek to promote equality, acceptance and understanding in Irish society for all families and full respect for the equal rights of children regardless of family circumstances. The Alliance will continue to work towards a widespread awareness of diverse families in Ireland, the necessary social and legal changes to ensure equality for all families and ensuring that government policies are "family proofed."

### **4.2 IRISH ASSOCIATION OF YOUNG PEOPLE IN CARE**

The Alliance has supported the work of the Irish Association of Young People in Care (IAYPIC), including service on its management committee. President Mary McAleese officially launched the Association in December 2003. Its mission is to advocate for and promote the rights and needs of young people in care through their participation at all levels throughout the care system. The Association is a member organisation of the Alliance. In 2004, the Alliance together with IAYPIC is planning to undertake a consultation process to create a charter of rights for children and young people in care.

### **4.3 COMMUNITY AND VOLUNTARY PILLAR**

The Alliance has actively participated in the Community and Voluntary Pillar of the Social Partnership process, including attendance at CV Pillar meetings, meeting Government Ministers to progress children's issues including poverty, formulating joint policy and working with Pillar members to ensure that child poverty elimination commitments were included in the Sustaining Progress and that the Special Initiative on Child Poverty is developed and implemented in a manner which progresses the NAPS commitment.

### **4.4 YOUTH INITIATIVE IN PARTNERSHIP**

On Wednesday, 15 January 2003 the Chief Executive spoke at the launch of the booklet "Surviving Homelessness in Dundalk and Newry," published and distributed by the

Youth Initiative in Partnership (YIP) Project in Dundalk. The YIP project has been in existence since 1996 in response to concerns among youth and community workers at the level of exploitation of children through prostitution in the cross border area and its link to homelessness and drug abuse.

This new booklet aims to help young homeless people seek out social services in the neighbouring cross border towns of Dundalk and Newry and negotiate between the differing systems in each jurisdiction. The booklet features information for those seeking emergency accommodation or more permanent housing, including the ins and outs of searching for a flat, paying the rent, and functioning in a landlord/tenant relationship. It also included information on support services for drug abuse, alcohol abuse, smoking, depression, domestic abuse, applying for a medical card, seeking out medical attention, social welfare, finding work, employment rights and drawing up a budget. The YIP project hopes that the booklet will provide vital references for helping young people make the transition to a better, healthier life.

#### **4.5 SCHOOL FACILITIES**

The Alliance supported the TLC's (tuismitheoirí/ teagascóirí le chéile) call on the Government to address the national crisis in primary school facilities. The call focused on two principal steps:

- the Minister for Finance should introduce an immediate supplementary budget to provide for those primary schools and all recognised new schools which do not have adequate accommodation for new entrants or special needs children in September 2003.
- the Government should implement a comprehensive five year plan to tackle all primary school accommodation problems and adequately resource the Planning and Building Section to carry this out.

Dermot Lacey, the then Lord Mayor of Dublin, hosted the meeting for the Coalition. TLC is a nationwide organisation who came together following the publication of the School Building Programme 2003. Groups attending the meeting and supporting the call included: the Children's Rights Alliance, Irish National Teachers Organisation, Educate Together, C.P.S.M.A., Gaelscoileanna, C. of I. B.O.E., the Hope Project, I.P.P.N., National Parents Council (Primary), PCI Presbyterian C. of I. and the Islamic Education Board of Ireland.

#### **4.6 SECOND REPORT ON CRC PERFORMANCE**

The Alliance over the course of 2003 began, in consultation with its member organisations, preparation of a second "shadow" report on the implementation of the UN Convention on the Rights of the Child in Ireland. The Second Report will reflect:

- consultation with member organisations,
- examination of data and research findings relative to the status of children in Ireland, and
- consultations undertaken by the Alliance and its member organisations with children and young people in Ireland.

The Alliance's timetable for submission of its own "shadow" report has been delayed due to the later submission date for the Irish government's report than was originally anticipated. The Alliance has urged Minister for Children Brian Lenihan to expedite the preparation of Ireland's Second National Report to the Committee on the Rights of the Child. The Irish Government will be filing its combined Second and Third National Report by the new deadline of 27 October 2004.

#### **4.7 INCORPORATION REPORT**

The Alliance is currently compiling a Report on the Incorporation of the UN Convention on the Rights of the Child into domestic law, with the assistance of Geoffrey Shannon and Jennifer Schweppe. The UN Committee in its 1998 *Concluding Observations* recommended that Ireland "take further steps to ensure that the Convention is fully incorporated as part of the domestic law, taking due account of its general principles". The report will detail the need for incorporation of the CRC into domestic legislation and will contain draft heads of a UNCRC Incorporation Bill. The report will be launched in 2004.

#### **4.8 ADDITIONAL SUPPORTS**

Among the many additional policy supports provided by the Alliance in 2003 were the following:

**National Co-ordinating Childcare Committee:** The Alliance was represented on the Advisory Sub-group to the National Co-ordinating Childcare Committee and has been involved in the drafting of guidelines for childcare practitioners relating to equality and diversity.

**Dail na nÓg:** The Alliance sat on the Steering Committee for Dail na nOg and assisted at the event in November.

**ISPCC's Children's Consultation Unit:** The Alliance sat on the Steering Committee of the ISPCC's Children's Consultation Unit.

**Irish Penal Reform Trust:** The Alliance's Policy Officer facilitated a workshop at the Irish Penal Reform Trust conference in November, entitled *Juvenile Justice in Ireland: Critical Perspectives, Human Rights & Good Practice*.

## **5. EDUCATION WORK ON CHILDREN'S RIGHTS**

### **5.1 DISSEMINATION OF INFORMATION**

During the period covered by this annual report, the Alliance responded to many requests from professionals working with children in different capacities, parents, young people and children throughout Ireland for information on the UN Convention on the Rights of the Child, children's rights and specific children's rights issues.

### **5.2 WEBSITE & NEWSLETTER**

The Alliance acted as an important provider of information on children's rights in Ireland to children, their parents and guardians, statutory, voluntary and community agencies, and all others seeking the promotion of children's rights in Ireland. The Alliance website [www.childrensrights.ie](http://www.childrensrights.ie), functioned as the online source of information on the rights of children in Ireland and provided current and comprehensive information on children's rights, entitlements and services in Ireland. It also provided support to the Alliance's member organisations by disseminating information and providing links to other organisations, networks and to those they represent and serve. The Alliance's newsletter also functioned as a key information source, and was distributed to members and subscribers.

### **5.3 WORKSHOPS AND SEMINARS**

To meet the needs of its member organisations and to promote greater understanding of children's rights, the Alliance continued to hold workshops and seminars on children's rights and on aspects of the UN Convention on the Rights of the Child. The Alliance conducted workshops for the NCRRI conference on Family and Ethnicity: minority ethnic families in Ireland, for staff of the Multiple Sclerosis Society of Ireland, for pupils in O'Connell's school, for Trinity College's Diploma in Educational Studies (Citizenship / CSPE), for University College Dublin's Masters class in Social Work, and for the National Childrens Nurseries Association.

### **5.4 COMPASS - DEVELOPMENT EDUCATION IN THE PRIMARY SCHOOL**

The Alliance continued to serve as a member of the Compass Steering Group, which is a working group established in 1996 to improve and extend the provision of in-service courses on development education for primary teachers. Since then the work of the group

has expanded, taking on a wider remit. With the introduction of the Revised Curriculum, Compass has been focusing most of its attention on identifying opportunities for raising the profile and representation of development education within the primary education system.

## **5.5 CIVIC SOCIAL AND POLITICAL EDUCATION IN SECONDARY SCHOOL**

Work was finalised on the CSPE website ([www.cspe.ie](http://www.cspe.ie)) which has been developed collaboratively by Children's Rights Alliance, Combat Poverty Agency, Equality Authority and St Vincent de Paul Society. It is designed to assist both teachers and students of CSPE (Civic Social and Political Education) to actively engage with issues around children's rights, equality and poverty in Ireland. CSPE is now a core subject up to Junior Cert level in second-level schools. Some promotional work was undertaken including the distribution of an awareness-raising poster to CSPE teachers.

## **5.5 PUBLIC STATEMENTS AND PRESS RELEASES**

Working closely with journalists and correspondents, the Alliance had a strong media presence throughout 2003 to help focus public attention on a number of priority issues, including the following:

- Child poverty
- Irish Citizen Children of non-national parents
- The Children's Act 2001/Juvenile Justice
- The Ombudsman for Children Campaign
- The Children's Advertising Code
- Children with Disabilities
- Budget and Estimates 2004
- Child Protection and Garda Vetting
- Alcohol Use and Abuse
- War and Iraqi Children's Rights alliance
- The Rights of Traveller Children
- Children's Health Care and the Medical Card
- The Rent Supplement Campaign