

Children's Rights: Rhetoric or Reality

**A Review of Children's Rights
in Northern Ireland 2007/08**



FOREWORD:

I am pleased to present the findings of this review of children's rights in Northern Ireland in 2007/08. I hope this report will help inform thinking and decision-making over coming months and years to improve the lives of all Northern Ireland's children and young people.

It is my job to promote and safeguard the rights and best interests of children and young people, to help them challenge and change the world they live in. I do this in a number of different ways, including making sure that children and young people's participation is at the core of my work. This fulfils the role outlined when the Northern Ireland Assembly created the Commissioner's post.

Under the legislation which created my Office, I also have a specific duty to keep under review the adequacy and effectiveness of law and practice relating to, and services provided for, children and young people and to advise government on any issues concerning the rights and best interests of children and young people. It was with these duties in mind that I undertook this review of children's rights in Northern Ireland.

The rights framework adopted within this review is in line with my founding legislation, under which I must pay due regard to the United Nations Convention on the Rights of the Child (UNCRC). Commentary made by the Committee on the Rights of the Child, in particular its most recent Concluding Observations on the UK (issued in October 2008), is therefore integrated throughout this review.

The review highlights many significant developments that have occurred over recent years. These include the restoration of devolution to Northern Ireland, the ongoing implementation of the Review of Public Administration and the introduction of a Ten Year Strategy for Children

and Young People. It also highlights specific areas of progress in relation to the more effective realisation of children's rights within Northern Ireland, across areas as diverse as education, juvenile justice and health.

While I welcome the progress noted within these fields, this review also highlights a significant number of areas where children's rights continue to be breached within Northern Ireland. This review pays particular attention to the experiences of children and young people who face multiple forms of disadvantage and discrimination.

The continued failure of the government to make real all the promises contained within the UNCRC, for all our children and young people, is a matter of ongoing concern. I therefore urge Ministers and government departments to consider, and act where needed, on the findings of this review and to implement immediate and determined action to prioritise the rights and best interests of children and young people across all aspects of legislation, policy and practice.

I also hope the findings of this review will prove useful for all those who are interested in, and dedicated to, improving children and young people's lives through more effective realisation of their rights.

Together we can continue to work towards a better future for all our children and young people.

Acknowledgments

Many people have been instrumental in the success of this review and my thanks are due to all of them. A particular thank you to Dr Helen Beckett (lead author) and the rest of the Research, Policy and Service Review Team who have worked alongside her to produce this review.

Thanks also to all the other NICCY staff and youth panel members who have so ably supported the planning, fieldwork, analysis and production of this report. Particular thanks are also due to Laura McMahon and Paula Keenan, for their initial review of secondary data, the report of which is available to download from www.niccy.org.

My thanks are also due to the many organisations that participated in our advisory group and/or reviewed sections of either report. Listed alphabetically, they are: Children in Northern Ireland, Children's Law Centre, De Paul Trust, Disability Action, Early Years, NIACRO, NI Association for Mental Health, NI Anti-Poverty Network, NSPCC, Playboard, Queen's University of Belfast, Save the Children, VOYPIC, Youth Council NI.

Finally, this review would not have been possible without the involvement of many different children and young people, parents, carers and professionals. I offer my sincere thanks to each and every one who took part and willingly shared their views and experiences.

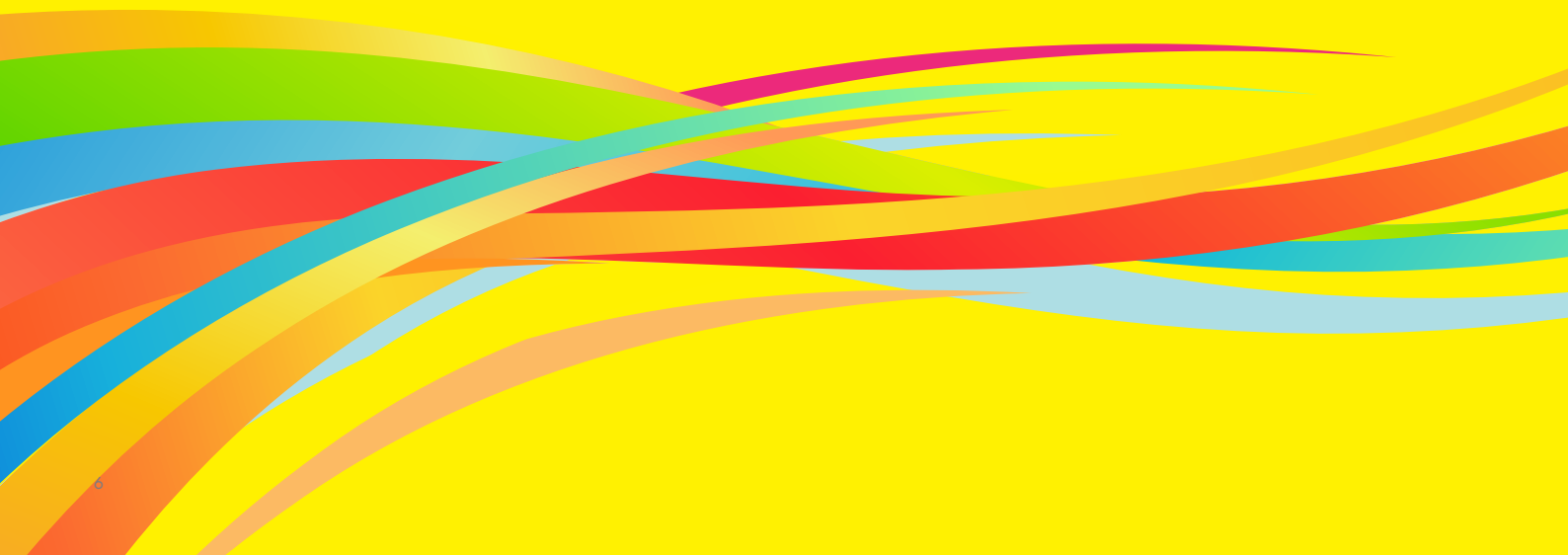


Patricia Lewsley
Northern Ireland Commissioner for Children and
Young People

November 2008

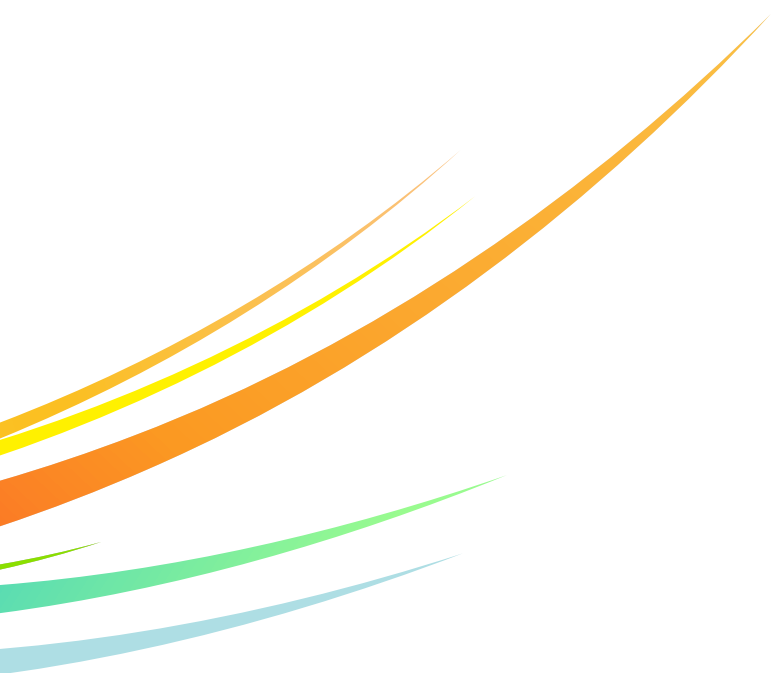
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ABBREVIATIONS:

ACO	Attendance Centre Order
ACPO	Association of Chief Police Officers
ADHD	Attention Deficit Hyperactivity Disorder
AEP	Alternative Education Provision
AEPs	Attenuating Energy Projectiles
AHC	After Housing Costs
AS	Asperger Syndrome
ASBO	Anti-social Behaviour Order
ASD	Autism Spectrum Disorder
BELB	Belfast Education and Library Board
BME	Black and Minority Ethnic
BOR	Bill of Rights
BORF	Bill of Rights Forum
CAJ	Committee on the Administration of Justice
CAMH	Child and Adolescent Mental Health
CAMHS	Child and Adolescent Mental Health Services
CAWT	Cooperation and Working Together
CBRJ	Community-based Restorative Justice
CCEA	Council for the Curriculum, Examinations and Assessment
CCMS	Council for Catholic Maintained Schools
CEOP	Child Exploitation and Online Protection Centre
CESCR	Committee on Economic, Social and Cultural Rights
CiNI	Children in Northern Ireland
CJCO	Criminal Justice (Children) (NI) Order 1998
CJINI	Criminal Justice Inspection Northern Ireland
CLC	Children's Law Centre
CnaG	Comhairle na Gaelscolaíochta
COAC	Children Order Advisory Committee
CRC	United Nations Committee on the Rights of the Child
CRJI	Community Restorative Justice Ireland
CRO	Community Responsibility Order
CSO	Community Service Order
CSU	Community Safety Unit
CYP	Children and Young People
CYPFP	Children and Young People Funding Package
DARD	Department of Agriculture and Rural Development
DCAL	Department of Culture, Arts and Leisure
DCU	District Command Unit
DE	Department of Education
DEL	Department for Employment and Learning
DFP	Department of Finance and Personnel
DHSSPS	Department of Health, Social Services and Public Safety
DOE	Department of Environment
DRD	Department for Regional Development
DSD	Department for Social Development
DWC	Disqualification from Working with Children

EAL	English as an Additional Language
EBD	Emotional and Behavioural Difficulty
EC	Enriched Curriculum
ECHR	European Convention on Human Rights
ECNI	Equality Commission for Northern Ireland
ELB	Education and Library Board
EMA	Education Maintenance Allowance
EMAS	Ethnic Minority Achievement Service
EQIA	Equality Impact Assessment
ERINI	Economic Research Institute for Northern Ireland
ESA	Education and Skills Authority
ETI/ETINI	Education and Training Inspectorate/ETI Northern Ireland
EVAW	End Violence Against Women
FDA	Full Duty Applicant
FE	Further Education
FPA	Family Planning Association
FSNI	Forensic Science Northern Ireland laboratory
GCSE	General Certificate of Secondary Education
GIS	Geographic Information Systems
GMC	General Medical Council
GP	General Practitioner
GUM	Genito Urinary Medicine
HLC	Healthy Living Centres
HMCIP	Her Majesty's Chief Inspector of Prisons
HRA	Human Rights Act 1998
HRC	Human Rights Committee
HSC	Health and Social Care
HSS	Health and Social Services
HSSPS	Health, Social Services and Public Safety
ICA	Intercountry Adoption
ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
IEF	Integrated Education Fund
IFS	The Institute for Fiscal Studies
IM	Irish Medium
IR	Independent Representative
JCHR	Joint Committee on Human Rights
JJC	Juvenile Justice Centre
JJCO	Juvenile Justice Centre Order
JSA	Job Seeker's Allowance
LAC	Looked After Children
LGB	Lesbian, Gay, Bisexual
LGBT	Lesbian, Gay, Bisexual and Transgender
MACR	Minimum Age of Criminal Responsibility
MGPH	Ministerial Group on Public Health
NCB	National Children's Bureau

ABBREVIATIONS:

NDCS	National Deaf Children's Society
NDPB	Non Departmental Public Body
NGO	Non Governmental Organisation
NHRI	National Human Rights Institution
NHS	National Health Service
NI	Northern Ireland
NIA	Northern Ireland Act
NIABF	Northern Ireland Anti-Bullying Forum
NIAO	Northern Ireland Audit Office
NICCY	Northern Ireland Commissioner for Children and Young People
NICIE	Northern Ireland Council for Integrated Education
NICMA	Northern Ireland Child Minding Association
NICS	Northern Ireland Court Service
NICVA	Northern Ireland Council for Voluntary Action
NIHE	Northern Ireland Housing Executive
NIHRC	Northern Ireland Human Rights Commission
NILTS	Northern Ireland Life and Times Survey
NIO	Northern Ireland Office
NIPB	Northern Ireland Policing Board
NISRA	Northern Ireland Statistics and Research Agency
NSD	New Strategic Direction for Alcohol and Drugs 2006–2011
NSPCC	National Society for the Prevention of Cruelty to Children
OFMDFM	Office of the First Minister and Deputy First Minister
OSS	Office of Social Services
PAC	Public Accounts Committee
PACE	Police and Criminal Evidence (Northern Ireland) Order 1989
PCC	Physical Control and Care
PDMU	Personal Development and Mutual Understanding
PE	Physical Education
PEHAW	Pupil Emotional Health and Wellbeing
PfG	Programme for Government (budget)
PO	Probation Order
PPS	Public Prosecution Service
PSE	Poverty and Social Exclusion
PSI	Promoting Social Inclusion
PSNI	Police Service Northern Ireland
PWC	PricewaterhouseCoopers
QUB	Queen's University Belfast
RNIC	Revised Northern Ireland Curriculum
RPA	Review of Public Administration
RpO	Reparation Order
RSB	Regional Safeguarding Board
RSE	Relationships and Sexuality Education
s75	Section 75
SBNI	Safeguarding Board for Northern Ireland
SC	Save the Children

SCCYP	Scotland's Commissioner for Children and Young People
SDQ	Strengths and Difficulties Questionnaire
SEB	Single Equality Bill
SELB	Southern Education and Library Board
SEN	Special Educational Needs
SENDIST	Special Educational Needs and Disability Tribunal
SENDO	Special Educational Needs and Disability (Northern Ireland) Order 2005
SHSSB	Southern Health and Social Services Board
SIHP	Southern Investing for Health Partnership
SLT	Speech and Language Therapy
SMART	Specific, Measurable, Achievable, Realistic, Time-bound
SSI	Social Services Inspectorate
SSIB	Suicide Strategy Implementation Body
STIs	Sexually Transmitted Infections
TCI	Therapeutic Crisis Intervention
UK	United Kingdom
UN	United Nations
UNCRC	United Nations Convention on the Rights of the Child
UNGA	United Nations General Assembly
UNICEF	United Nations Children's Fund
UNOCINI	Understanding the Needs of Children in Northern Ireland
VEP	Vocational Enhancement Programme
VOYPIC	Voice of Young People in Care
WELB	Western Education and Library Board
WHO	World Health Organization
YCNI	Youth Council for Northern Ireland
YCO	Youth Conference Order
YCS	Youth Conference Service
YDO	Youth Diversion Officer
YDS	Youth Diversion Scheme
YJA	Youth Justice Agency
YLT	Young Life and Times
YOC	Young Offenders' Centre
YP	Young People

