

## This Issue

Children's Rights  
Referendum

Value for Money  
Review: Child  
Income Supports

Member Focus:  
National Youth  
Council of Ireland

HSE Child  
Trafficking  
Statement

News in Brief

Report Card 2010

Child Death  
Review

Literacy  
Roundtable

Eurochild End  
Child Poverty  
Campaign 2010

UNCRC  
Communications  
Procedure

### ATTENTION MEMBERS!

Alliance AGM  
Tuesday 8 June  
2-4.30pm  
European House,  
Dawson Street, Dublin



Latest poll  
on web site

Will a Children's Rights  
Referendum Make a  
Difference for  
Children?

RESULTS  
NO – 12%  
YES – 88%

## The Time is Ripe for a Referendum on Children's Rights



The Joint Committee on the Constitutional Amendment on Children published its final report on Tuesday 16 February, which included an all-party agreement on the wording of an amendment to the Constitution to strengthen children's rights. Having advocated for constitutional reform since its establishment in 1995, including extensive lobbying to influence the Joint Committee's work over the past two years, the Alliance warmly welcomed the report as a "significant step" in Ireland's progress towards making Ireland one of the best places in the world to be a child.

The Alliance has consistently argued that, as a society, we need to foster a new attitude to children and families. Strengthening children's rights in the Constitution, which is both a legal document and a reflection of society's values, will set the appropriate tone and parameters to help achieve this. Public appetite for such a change is evident from the response to the findings of the Ryan and Murphy Reports, among others. And so the time is ripe for a referendum on children's rights.

The Alliance continues to call on the Government to act on the Committee's recommendations and set a date for a referendum to strengthen children's rights. We will also call on the Government to begin drafting Heads of Bill to outline the legislative changes that would follow the successful passage of a children's rights referendum. This will give voters a better understanding of the impact of an amendment and will help clarify issues likely to be debated in the run-up to the referendum.

Budget 2010 committed €3 million to a constitutional referendum on the rights of the child in 2010, and the Alliance will do all that it can to ensure that the Committee's report does not gather dust on a shelf.

The Alliance has compiled a Briefing Note that provides an overview of the Committee's final report, which can be found in the resources section of our web site. Moreover, we will be conducting a series of activities to engage member organisations with the issue, such as our forthcoming podcast series with members of the Joint Committee. We would also encourage members to use all opportunities presented to them to highlight the need for a referendum on children's rights.



Jillian van Turnhout  
Chief Executive

## Value for Money Review: Child Income Supports

The Alliance recently submitted its views to the Department of Social and Family Affairs (now Department of Social Protection) in relation to its Value for Money Review of Child Income Supports. In relation to Child Income Support (CIS) policy and programme objectives, the Alliance believes that children in all low income families should be prioritised and that the equitable treatment of low income families is crucial.

Both the Qualified Child Increase (QCI) and the Family Income Supplement (FIS) recognise that parents on low incomes with responsibility for a child require more support from the State than adults without children, but both payments are dependent on the work or welfare status of a parent. Still, Ireland lacks an instrument to support children in low income families that is triggered by low family income alone. The Alliance recommends that QCIs and FIS should be replaced by a new, second-tier payment, which would be paid to all low income families with children, regardless of whether that low income comes from welfare or from work.

More details at <http://www.childrensrights.ie/files/DSFARReviewChildIncomeSupport0310.pdf>.

## Member Focus



The National Youth Council of Ireland (NYCI) is a membership-led umbrella organisation that represents and supports the interests of voluntary youth organisations and uses its collective experience to act on issues that affect young people.

Our vision is one where all young people are empowered to develop the skills and confidence to fully participate as active citizens in an inclusive society. Our work is based on the core values of equity, volunteerism, pro-activity, interdependence, quality, and representation. Our work is also young person-centred, whereby NYCI believes that all young people are citizens in their own right and are of equal value.

We provide training in the areas of Youth Arts, Child Protection, Development Education, Youth Health and Interculturalism. In addition we advocate on a range of issues in the public and political arena to promote the issues and rights of young people across Ireland. To learn more about NYCI please visit [www.youth.ie](http://www.youth.ie).

In January 2008 we launched a campaign to reduce the voting age in Ireland to 16. The "A New Age in Voting" campaign has gained wide attention in the public, political and media arenas. In the revised programme for Government in 2009 a commitment was made to investigate reducing the voting age to 16 in local elections.

We have presented to the Oireachtas Committee on the issue and also met with Minister John Gormley to drive the campaign forward. The campaign is ongoing and we will continue to lobby on the issue in 2010. For further information, visit [www.voteat16.ie](http://www.voteat16.ie).

### A New Children's Hospital:

#### A new future for children's health services in Ireland

2010 Conference

Dublin Castle, 18 June 2010

European Association for Children in Hospital

Hosted by Children in Hospital Ireland

For more details: [www.childreninhospital.ie](http://www.childreninhospital.ie)

## Children are Trafficked in Ireland

The Alliance issued a press release on 1 February responding to a reported statement from a HSE spokesperson stating that it had been unsubstantiated that "any of the children who go missing from HSE care have been trafficked." The statement was included in an *Irish Times* article detailing the number of children seeking asylum who have gone from care in the past decade. However, it is on public record that some children, who have disappeared from HSE care, have later been found in situations where they were being exploited by traffickers. As far back as 2003, a report commissioned by the International Organisation for Migration found that approximately 10% of separated children who had arrived in Ireland were the subject of investigation in relation to criminal trafficking or smuggling by adults.

The Alliance has collated over 25 cases of confirmed child trafficking (for the purposes of sexual or labour exploitation, including forced marriage (compiled using media reports and information provided by non-governmental organisations). These cases are likely to represent only the tip of the iceberg, as such crimes are clandestine and often very difficult to uncover.

Currently, the HSE does not have a strong plan to provide a child, identified as a suspected victim of trafficking, with adequate care and accommodation to meet their need for safety and security. And, until very recently, many separated children were being housed in hostel accommodation without the supervision of qualified carers. The Alliance appreciates, however, the apology from the HSE's Assistant National Director for Children and Families, Philip Garland (*Irish Times*, 08 February 2010) for the HSE's record in this regard, and also welcomes the commitment in the Ryan Report Implementation Plan to provide mainstream care for such children. Recent debate in the Oireachtas (Seanad, 4 February 2010) will also help keep the issue of trafficking, and the needs of separated children on the public agenda.

**The UN Convention on Transnational Organized Crime defines trafficking as:** "[...]the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion of fraud, of deception, of the abuse of power or of a position of vulnerability [...]" Smuggling, however, involves a consensual agreement between the transporter and transportee for mutual benefit.

## News in Brief

- On Thursday 4 February 2010, in Dublin, a seminar was held by the National Steering Committee (of which the Alliance is a member) for Ireland's Plan of Action to Address Female Genital Mutilation (FGM) to mark, for the first time in Ireland, International Day of Zero Tolerance to FGM. See our briefing paper on [www.childrensrights.ie](http://www.childrensrights.ie).
- The Third Roundtable of the Children's Mental Health Coalition (formed by Amnesty International and the Alliance) was held on 31 March in the Gresham Hotel, Dublin, at which the Coalition's lobbying strategy for 2010 was presented. The Alliance participated in a series of themed workshops which included: education, mental health services, care and youth justice.
- In February, the Alliance launched a voxpop podcast celebrating the 20th anniversary of the UN Convention on the Rights of the Child. The podcast showcases the views of teenagers and the rights that matter most to them: including freedom to express themselves, a safe environment in which to congregate, and an entitlement to vote at 16.
- The Alliance invited members to offer input on a draft document in response to the Law Reform Commission's consultation paper 'Children and the Law: Medical Treatment'. The Alliance's submission provides broad principles, based on the UN Convention on the Rights of the Child, that we believe must underpin any changes to the law in relation to children and consent to medical treatment.

# Report Card 2010

*Report Card 2010*, the Alliance's second Annual Report Card, was launched on 25 January in European House. Justice Catherine McGuinness and Sally Anne Kinahan (ICTU) of the report's external assessment panel spoke of the Report Card's role in identifying where Government has failed, despite commitments, and how it might improve. At the launch, the Alliance's Chief Executive, Jillian van Turnhout, announced that the Government had slipped from a 'D' grade in 2009 to a 'D-' grade in 2010. This year's report also failed the Government for the first time by awarding an F grade in the policy areas of alcohol, primary care and financial support for families.

The report continues its analysis of key Government commitments in the areas of education, health, material well-being and safeguarding children. In addition, a new area was added to 'Safeguarding Children', focussing on aspects of the State's response to the Ryan Report. It is worth noting that it is against the Government's own commitments in key policy documents such as *Towards 2016*, the *National Children's Strategy 2000-2010* and the *National Action Plan for Social Inclusion 2007-2016*, that it is judged, and not the aspirations of the Children's Rights Alliance or other organisations.

The Report awards an 'E' in health, reflecting the repeated failure to roll-out a long-promised primary care infrastructure, Child and Adult Community Mental Health Teams delays and an entirely absent National Nutrition Policy. The biggest grade drop in the Report Card was in Financial Support for Families: from a 'B-' last year to an 'F' grade this year. The Government chose to cut child benefit by 10% for all children rather than begin to reform the system and introduce a new, targeted payment. We need to integrate the tax and welfare systems, so that the Government can support children in low income families, regardless of whether their parents are on welfare or in work. In education, some positive efforts in the form of the

pre-school year, streamlined services to address early school leaving and the Government's decision to reverse the halt on implementing the EPSEN Act lead to the Government's best grade — an unremarkable C+.

An overall 'D-' is recognition of, as Sally Anne Kinahan said, 'the deepening of a two-tiered society that ignores Ireland's most vulnerable children'. In an economic recession, this is children being elbowed aside in a rush to the lifeboats.

Report Card 2010 is available on our web site at: <http://www.childrensrights.ie/files/ReportCard10.pdf>

For further information on new child income supports, see the Alliance's Submission to the Department of Social and Family Affairs Value for Money Review of Child Income Supports at <http://www.childrensrights.ie/files/DSFARReviewChildIncomeSupport0310.pdf>



Justice Catherine McGuinness; Alliance Chief Executive, Jillian van Turnhout and Sally Anne Kinahan of ICTU

## Child Death Review

Recent media reporting has brought into sharp focus the very sad circumstances of the deaths of a number of children in the care of the State, adding renewed urgency to the establishment of a Child Death Review.

Consequently, the Alliance warmly welcomed the announcement on 9 March of a Child Death Review Group, tasked with investigating the HSE's own reviews of the deaths of children in State care since 2000. The group comprises Geoffrey Shannon, Child Law expert; Norah Gibbons, Director of Advocacy with Barnardos and Chair of the Roscommon Inquiry; and a third, international figure, yet to be announced. In addition, the Alliance also broadly welcomed the Health Information and Quality Authority's (HIQA) publication of their 'Guidance for the Health Service Executive for the Review of Serious Incidents including Deaths of Children in Care', also published in March.

Not only has the Alliance been calling for an independent Child Death Review Committee since 2002, but in 2006, the UN Committee on the Rights of the Child questioned representatives of the State on the adequacy of existing

mechanisms for monitoring State responsibility for the deaths of children, and the Ombudsman for Children's office also began an initiative in 2007 looking into the establishment of a child death review mechanism.

The Ryan Report Implementation Plan has already spelled out commitments identifying the role of the Health Information and Quality Authority in developing guidance for the HSE, and conducting investigations into the death of a child in care. The Alliance supports the Implementation Plan recommendations but would go further: the Minister should immediately establish a Child Death Review Committee once a child dies in unusual circumstances or in State care. Such a Committee would produce a timely report to highlight any failures or weaknesses in the child's care and identify clear lines of accountability. In developing a model Child Death Review, the State should also look at systems in operation elsewhere: child death review systems are in operation in many countries including New Zealand, Australia, Canada as well as systems operating in every state in the United States.

The Alliance is currently developing a position paper on child death reviews.

## Child Literacy Roundtable

The Children's Rights Alliance hosted a roundtable meeting on child literacy on Monday 15 March at European Union House. Participants at the roundtable agreed that literacy is a children's rights issue, and that no child should leave primary school unable to read and write. Participants supported the Alliance's three key recommendations, to:

- Develop a child-centred National Literacy Policy.
- Increase time spent teaching literacy in disadvantaged areas to 90 minutes per day.
- Guarantee further professional development for teachers, with a specific focus on child literacy.

Three speakers, all experts in child literacy, were invited to present their thoughts to the Roundtable:

- Áine Hyland, Chair of the NESF project team and education expert
- Gene Mehigan, Principal lecturer, Marino Institute of Education
- Harold Hislop, Chief Inspector, Department of the Education and Science Inspectorate

Each speaker gave an informative and engaging presentation, focusing on the recommendations of the NESF Report and the potential next steps to turn the recommendations into action. Alliance members contributed to a lively discussion following the presentations, and brainstormed as to the lobbying tactics required to make the NESF recommendations a reality.

The Alliance produced a briefing note on literacy that was launched at the roundtable and is available on our web site. We have offered members our availability as a resource to any member who wishes to pursue this issue further.

Speaker presentations are available to download at: <http://www.childrensrights.ie/index.php?q=resources/education>



Harold Hislop, Jillian van Turnhout, Áine Hyland and Gene Mehigan pictured at the Roundtable.

## Eurochild End Child Poverty Campaign 2010



The Children's Rights Alliance is delighted to announce that we are the Irish partner in the Eurochild 'End Child Poverty' campaign for 2010, the European Year Against Poverty and Social Exclusion. As part of the campaign, Eurochild has launched an online petition at [www.endchildpoverty.eu](http://www.endchildpoverty.eu). The website invites people to sign the petition and (if they wish) to upload a message, a picture or a video; to give a flavour of the different images, experiences and views of people across Europe on the issue of child poverty.

The Alliance would like Ireland's voice to be strong in calling on EU Governments and on the European Commission to make genuine commitments to end child poverty in Europe. We encourage all of our member organisations to lend their voices to this important cause by signing the petition and uploading a message from Ireland. So, visit [www.endchildpoverty.eu](http://www.endchildpoverty.eu) today!

## UNCRC Communications Procedure for Children's Rights Violations



On 17 June 2009, the Human Rights Council adopted a resolution by consensus establishing an Open-ended Working Group to 'explore the possibility of elaborating an optional protocol to the Convention on the Rights of the Child to provide a communications procedure complementary to the reporting procedure under the Convention'.

On 24 March 2010, the UN Human Rights Council in Geneva agreed to start drafting a new international human rights instrument enabling the Committee on the Rights of the Child to receive and examine communications from children and their representatives alleging violation of their rights. The Working Group is expected to start working on the Draft in December 2010. It is hoped that the instrument could be ready for adoption by December 2011.

If you would like to submit material for future eNewsletters or be added to our circulation list, please contact Carys Thomas at [carys@childrensrights.ie](mailto:carys@childrensrights.ie)

Children's Rights Alliance  
4 Upper Mount Street, Dublin 2  
Ireland

Tel: +353 1 6629400  
Fax: +353 1 6629355  
Email: [info@childrensrights.ie](mailto:info@childrensrights.ie)

[www.childrensrights.ie](http://www.childrensrights.ie)  
[www.facebook.com/childrensrightsalliance](https://www.facebook.com/childrensrightsalliance)  
[www.twitter.com/ChildRightsIRL](https://www.twitter.com/ChildRightsIRL)