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## Message from our New Chief Executive

The Children's Rights Alliance would like to formally extend a warm welcome to Tanya Ward as its new Chief Executive.

Tanya takes up the post after eight years with the Irish Council for Civil Liberties (ICCL). As Deputy Director, Tanya led the organisation's research/policy programme and produced its policy outputs on constitutional change for children. In the preceding years, Tanya worked for the Irish Centre for Migration Studies, the Irish Refugee Council, the Curriculum Development Unit and the City of Dublin VEC, during which her work included producing reports on the language/education needs of adult asylum seekers and separated children. While working as a consultant for the Curriculum Development Unit, Tanya worked as part of the Department of Education's team on its contribution to the National Action Plan Against Racism, an area in which she is especially interested.



In recent years, Tanya was elected to the Executive Board of the International Federation of Human Rights and took part in human rights missions to Hong Kong and Gaza. Tanya has a keen interest in international human rights monitoring and lectures widely on the topic including on the Masters in Social Justice at UCD, and the University of Nottingham's Human Rights Summer School.

In her new role as Chief Executive, Tanya will be focusing on delivering the Alliance's new Strategic Plan 2012-2016. "The Alliance's new Strategic Plan emphasises the importance of embedding children's rights in our political and legal culture and the UN Convention on the Rights of the Child provides us with important signposts to help make better decisions for children. While at the Alliance, I will work with our members and team to build the organisation's public affairs, legal and policy capacity to ensure that the Alliance's activities continue to have a high impact, especially in relation to the referendum and the National Children's Strategy."

Making sure that the Alliance remains sustainable will also be an important priority for Tanya. She will be working with the Alliance Board and staff to make sure that the organisation continues to play an important part in ensuring that the UN Convention delivers real change for children in Ireland.

Best Wishes  
Tanya Ward

## Members' Meeting on the Children's Rights Referendum

On 1 March, a Member's Meeting was held in relation to the proposed constitutional amendment on children's rights. This event was well attended by members and was incredibly important and useful in helping the Alliance develop its campaign plans.

Discussions centred upon the active engagement of member organisations in campaigning for constitutional reform, the level of education required at public level, the development of a toolkit for members, the need for strong case-studies, and the provision of clear and aligned messages to the sector.

As an outcome of this meeting, the Alliance is establishing a Constitutional Working Group to advise the organisation in the run up to a

referendum on children's rights, as well as providing an opportunity for members to exchange information. This Working Group will meet for the next 7-8 months on a monthly basis, increasing to weekly, once a referendum is called. If you would like to learn more or join this Constitutional Working Group, but have not yet informed us, please do let Emma McKinley know by telephone (01-6629400) or email (emma@childrensrights.ie). The first meeting will be held on 30 April 2012 in Dublin.



Carys Thomas, Alliance Communications Director presents the Communications Plan

## Member Focus



YAP Ireland uses a strength based approach for families with very complex needs. We operate in 12 counties in Ireland at present, with plans to extend to other counties in 2012.

One of the main aims of Youth Advocates programmes Ireland (YAP) is to maintain young people at risk of out of home placements and also those who are out of their homes, to help them re-integrate back into their communities.

YAP Ireland does not believe in the theory that 'one size fits all', so our services are tailor-made services based on the strengths of the YAP model.

- \* Strength based, needs led, wraparound, intensive support model with proven success.
- \* The flexibility of the service, no eject/no reject policy.
- \* Crisis Intervention Service.
- \* Six month model with advocates dedicated to one case.
- \* Ability to provide service in both urban and rural areas.
- \* On-Call 24-hour service, 7 days a week, 52 weeks a year.
- \* Recruit, train and employ advocates from local communities on a fixed term basis.
- \* Outcomes measurement systems in place measuring the positive impact of the YAP model.
- \* YAP Ireland carries out monitoring of the service twice during the lifetime of the case.
- \* Can use existing management structures to set up services in new areas.

Go to [www.yapireland.ie](http://www.yapireland.ie) for more information.

## News in Brief

- \* The Alliance is the only NGO presence on the **Ryan Report Implementation Plan Oversight Group**. We are mindful that we engage with members as much as possible on this important issue and so **last year, we convened a members' sub-group** to feed into the annual progress report. If you are interested in joining, please contact Maria Corbett, Legal and Policy Director, on (01) 6629400 or [maria@childrensrights.ie](mailto:maria@childrensrights.ie)
- \* Chief Executive, Tanya Ward, presented on 21 March to the **Joint Committee on Justice, Defence and Women's Rights, as part of the NGO Alliance Against Racism, on two recommendations made by the Committee on the Elimination of Racial Discrimination (CERD) to the Irish Government** on incorporating the UN Racism Convention into Irish law and specific areas of law reform, such as improving the rights of migrants to judicial review.
- \* Chief Executive, Tanya Ward spoke at a **Pavee Point seminar** on 22 March on the **impact of the Habitual Residency Condition on Travellers and Roma in Ireland**. Her presentation is available at [www.childrensrights.ie](http://www.childrensrights.ie)
- \* The **Children's Rights Alliance for England Participation Reports**, which includes a report on the Alliance and the Irish Secondary Schools Union's participation in a unique consultation with children on Europe, are now available on the CRAE website [www.crae.org.uk](http://www.crae.org.uk). Materials include an individual country report on Ireland and a brilliant film made by young people, including participants from Ireland.
- \* On 16 February, the Committee of Ministers of the Council of Europe (COE) adopted the **Strategy for the Rights of the Child 2012-2015**. The Alliance submitted comments during the consultation process in 2011 and we are pleased to see many of these reflected in the Strategy. Our submission to the consultation process is available at [www.childrensrights.ie](http://www.childrensrights.ie)
- \* Emma McKinley, our Children's Rights Policy Officer, spoke in Trinity College on 22 February to **Fresh Amnesty Voices**, part of **Dublin University Amnesty International**. Emma spoke about the Ryan Report in a discussion entitled 'Left in the Dark - A discussion of institutional abuse in Ireland'.
- \* On 1 March, the **Children's Mental Health Coalition** held a very successful seminar on mental health in the education system. The seminar was livestreamed and is available to watch on [www.childrensmentalhealth.ie](http://www.childrensmentalhealth.ie)
- \* In January, the Alliance and other key NGOs met with the **OSCE Special Representative and Coordinator for Combating Trafficking in Human Beings, Maria-Grazia Giammarinaro**. This will help inform the OSCE Report on Trafficking in Ireland. In February, the Alliance also attended a prize-giving ceremony for a **secondary school art competition on human trafficking** organised by the Anti-Human Trafficking Unit.
- \* Minister Frances Fitzgerald TD recently launched the publication **Where to from Here? Inter-ethnic Relations among Children in Ireland**, from the Trinity Immigration Initiative. Written by Philip Curry, Robbie Gilligan, Lindsey Garratt and Jennifer Scholtz, the book is available to purchase from The Liffey Press ([www.theliffeypress.com](http://www.theliffeypress.com)).



## UNCRC Optional Protocol— a Communications Procedure

The Optional Protocol to the UN Convention on the Rights of the Child (UNCRC) on a communications procedure for children's rights violations was adopted by the UN General Assembly on 19 December 2011 and was officially opened for signature on 28 February 2012. The new Optional Protocol will allow children and their representatives to bring complaints to the UN Committee on the Rights of the Child, the treaty body responsible for monitoring the implementation of the UNCRC.

Twenty States signed the new complaints mechanism at the Human Rights Council session in Geneva on 28 February. Unfortunately, Ireland was not one of the initial signatory states. The Alliance sees no legal obstacle to Ireland signing and ratifying the Protocol and calls on the Government to work towards ratification.

We intend to organise a briefing event on the Optional Protocol over the coming months and will keep members posted. For additional information, contact Emma McKinley ([emma@childrensrights.ie](mailto:emma@childrensrights.ie)).



## Report Card 2012 Launch



8-year-old Ava Reid, Chief Executive Tanya Ward, and Paul Gilligan, Alliance Chair, launch Report Card 2012

Report Card 2012 was published on 23 January 2012, and the Alliance garnered blanket media coverage on the day. This year, we awarded the Irish Government its best result in four years: an overall 'C+' grade for its progress to date on its key promises to children.

The grade is in recognition of the new Government's decision to provide the Minister for Children and Youth Affairs, Frances Fitzgerald TD with full status at Cabinet; the establishment of a dedicated Department of Children and Youth Affairs; approval for a new children's hospital; and, most importantly, a firm commitment to hold a referendum on children's rights in 2012. However, Government was also marked down owing to "glaring violations of children's rights", most significantly

in Budget 2012, which failed to protect children and plunged vulnerable families further into poverty, and for Government's treatment of children detained in the adult regime of St Patrick's Institution (an E grade and F grade respectively).



Professor Aine Hyland, Emeritus Professor and former Vice President of UCC, and Judge Catherine McGuinness



Commitments in Report Card 2012 were organised in five sections; the first four sections are the same as previous editions (Education, Health, Material Wellbeing and Safeguarding Childhood), with a new section

on 'Realising Children's Rights' to capture new commitments in this area. The Alliance tracked 23 commitments in the new Programme for Government; 29 immediate actions were recommended by the Alliance for implementation over 2012.

### Female Genital Mutilation Bill Passes— A Triumph for Children's Rights!

We are delighted that the Criminal Justice (Female Genital Mutilation) Bill 2011 was finally passed on 28 March. FGM is a critical children's rights issue and this marks a positive victory for children's rights in Ireland. It means that there will now be an outright ban on the practice of FGM in Ireland. This legislation will help to prevent a girl from being taken out of Ireland overseas to her family's country of origin to undergo FGM. Up to now, this has been a very real and serious risk for children living in Ireland.

The Alliance has been campaigning for the introduction of legislation for a number of years, both as an independent organisation and in our role on the National Steering Committee of Ireland's National Plan of Action to Address Female Genital Mutilation. We have engaged in consistent policy and public affairs activities to make this happen. We congratulate the current Minister for Health, James Reilly TD and members of the Oireachtas for passing this important legislation at a relatively speedy pace.

### Government to End Detention of Children in St Patrick's Institution

On 2 April, the Government announced that it will end the detention of children in St Patrick's Institution (an adult prison regime). This is a major achievement for the children's rights sector and will soon put an end to a gross children's rights violation.

Alliance member, the Irish Penal Reform Trust, had this to say:

*Given the current pressures on resources, we believe the provision of capital funding for this project is a powerful statement of the Government's commitment to the rights of children who come into conflict with the law. As acknowledged by the Minister for Children and Youth Affairs in her statement, children in the criminal justice system have complex needs and backgrounds that require specialist therapeutic treatment and for which a punitive prison environment is extremely damaging.*

The Alliance statement can be found on our website.



### Recent Judgment

**M.D. (Minor) v Ireland AG & DPP [2012] IESC 10 Supreme Court, 23 February 2012:** An appeal from a decision of the High Court IEHC 101 (Dunne J., 26th March, 2010) upholding the constitutionality of s. 3(1) and s. 5 of the Criminal Law (Sexual Offences) Act 2006. The appellant sought, *inter alia*, a declaration that s. 5 of the 2006 Act discriminated against the appellant on the basis of gender, contrary to Article 40.1 of the Constitution. This section provides that girls under 17 years who engage in consensual sex are exempt from criminal prosecution. However, boys under 17 are not.

The Judgment states that, with regard to the provisions of Section 5 of the Act, the Oireachtas had made a legislative decision that reflects a social policy and that the Courts should be deferential to this view.

Download the judgment at [www.courts.ie](http://www.courts.ie).

## Universal Periodic Review – Update

The final Universal Periodic Review (UPR) session took place before the UN Human Rights Council in Geneva on 15 March and the Alliance attended a live webcast of the hearing in Liberty Hall hosted by the ICCL. Such was the interest in Ireland, that it became a trending topic on twitter. At this final UPR session, important commitments for children were made to ratify the Optional Protocol to the UNCRC on the Sale of Children, Child Prostitution and Child Pornography; to take measures to ensure that the UNCRC is incorporated into the legal and administrative system; and to secure a constitutional amendment on children's rights. While this now marks the conclusion of the formal part of the UPR process, action is now needed on implementation of the important commitments made.



Alliance Members attending in Geneva were: Amnesty International's Colm O'Gorman, Deirdre Duffy of ICCL and Martin Collins of Pavee Point

## New National Children's Strategy – Update

The Department of Children and Youth Affairs is developing a new five year National Children's Strategy, and will undertake a public consultation on the new Strategy in May. The Alliance will hold a members meeting in mid-May, having circulated a draft submission a week before the closing date to seek members' comments. This is an important opportunity to shape children's services and policies. The Alliance would encourage members to feed in comments to us and/or by making individual organisational submissions. In a parallel activity, we are contributing to the development of the Strategy, along with other NGO representatives, on the National Children's Advisory Council. We will let you know when details of the consultation are announced, but if you have any queries on this issue, please contact Maria Corbett: 01 6629400/[maria@childrensrights.ie](mailto:maria@childrensrights.ie)

## The Constitutional Convention

In early March 2012, the Government consulted members of the Opposition on its draft proposals to hold a Constitutional Convention to review a range of topics in the Programme for Government. The proposals suggest that it should be comprised of an independent chair, 33 parliamentarians and 66 citizens from the electoral register. Given that children make up one quarter of the Irish population, the Alliance is calling on the Government to put appropriate constitutional convention proposals to Dáil na nÓg to make sure that the voice of children of Ireland is not excluded. The Alliance wrote to the Taoiseach, the Minister for Children and Youth Affairs and members of the Opposition and also took part in a parliamentary briefing organised by the Irish Council for Civil Liberties on 6 March 2012. We will keep members posted on developments.



Charlie McConalogue TD, Fianna Fáil Spokesperson on Children, at the Alliance Stand

affairs activities in 2012; we had a stall at the Fianna Fáil Ard Fheis and Chief Executive Tanya Ward was invited to the Young Fine Gael Seminar *Human Rights, Individuals' Rights*, to speak on the proposed children's rights referendum.

## Fine Gael & Fianna Fáil Ard Fheiseanna

On 2 and 31 March, the Alliance attended the Ard Fheiseanna of Fine Gael and Fianna Fáil, both in Dublin. The Alliance is gearing up its public



Young Fine Gael President Paddy Molloy, with Chief Executive Tanya Ward, Minister Fitzgerald, and Colm O'Gorman of Amnesty International

## St Patrick's Day in the Áras



Tanya Ward, Chief Executive; Legal and Policy Director, Maria Corbett; Communications and Public Affairs Director, Carys Thomas; and Board Member Margaret Burns, together with many other NGOs visited the Aras on the invitation of the President of Ireland, Michael D Higgins, to celebrate St Patrick's Day on 17 March!

If you would like to submit material for future eNewsletters, please email [communications@childrensrights.ie](mailto:communications@childrensrights.ie)

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