

**Response from the Northern Ireland Commissioner for
Children and Young People to the Northern Ireland
Youth Assembly Consultation
15 September 2011**

1.0 Introduction

The Office of the Commissioner for Children and Young People (NICCY) was created in accordance with 'The Commissioner for Children and Young People (Northern Ireland) Order' (2003) to safeguard and promote the rights and best interests of children and young people in Northern Ireland.

Under Articles 7(2)(3) of this legislation, NICCY has a mandate to keep under review the adequacy and effectiveness of law, practice and services relating to the rights and best interests of children and young people by relevant authorities. The remit of our Office is children and young people from birth up to 18 years, or 21 years of age if the young person is disabled or in the care of Social Services.

In determining how to carry out her functions, the Commissioner's paramount consideration is the rights of the child and NICCY is required to base all its work on the United Nations Convention on the Rights of the Child (UNCRC).

This response to the consultation outlines detailed comments from members of NICCY's Youth Panel. The Youth Panel consists of 25 young people, who represent different religions, abilities and disabilities, and different ethnic groups. Members are spread geographically throughout Northern Ireland. Youth Panel members share their experiences and views with the Commissioner and her staff on an ongoing basis and contribute to decisions made by NICCY concerning issues that affect children and young people.

2.0 International Law

2.1 Children's Rights

The United Nations Convention on the Rights of the Child (UNCRC) provides the overarching framework which guides the work of NICCY. The UK Government, including Northern Ireland, is a signatory to the Convention and has agreed to uphold the rights of children and young people based on the Convention. While each of the articles of the Convention are regarded as important, the following articles are particularly relevant in relation to the Youth Assembly proposals

- Article 2: Children shall not be discriminated against and shall have equal access to all articles in the UNCRC.



- Article 3: All decisions taken which affect children's lives should be taken in the child's best interests.
- Article 12: Children have the right to have their voices heard in all matters concerning them.

NICCY would strongly suggest that in the course of establishing the Northern Ireland Youth Assembly, due consideration should be given to relevant articles of the UNCRC and to ensuring that the rights of all young people are recognised and taken into account. NICCY would also propose that the Youth Assembly considers employing relevant articles of the UNCRC as guiding principles for its work.

3.0 Comments on the Proposal

Members of NICCY's Youth Panel (NICCY YP) who were available to attend at the time of consultation, reviewed the proposals for the Youth Assembly and shared their views and ideas at a roundtable discussion. Several members who were unable to attend sent their responses via email. The Youth Panel considered the proposals through a discussion of the questions provided by the Youth Assembly Team, at the Northern Ireland Assembly.

a. Establishing a Youth Assembly

NICCY welcomes the proposal to establish a Youth Assembly in Northern Ireland. The Youth Assembly presents an exciting and valuable opportunity for young people to have their voices heard on a diversity of issues which affect them or are of importance to them. It also has the potential to act as a communicative 'bridge' between young people and policymakers. In order for the Youth Assembly to be effective therefore, it is important that all members of the NI Assembly are supportive of the Youth Assembly and committed to working constructively and positively with its members.

Members of the NICCY YP were supportive of the proposal to establish a Youth Assembly (YA) for Northern Ireland (NI). However they felt that careful consideration should be given to a range of issues during the development process to ensure that there was clarity around the YA's structure, remit, membership and relationship with the NI Assembly, other organisations and young people throughout NI. These issues are referenced below.

b. Choosing members of a Youth Assembly

NICCY would strongly advocate that whichever recruitment approach is employed, that this is fair, equitable and transparent and that all young people who wish to be considered for membership of the YA are provided with every opportunity to do so.



The NICCY YP debated the merits of the proposed 4-stage selection approach (advertising, application, short-listing, interview) and recruitment through elections. Most of the youth panel felt that appointment via election was more appropriate for a number of reasons;

- It would allow young people who may not necessarily wish to become a member of the YA, to influence the YA by being able to vote for a candidate;
- This is an inclusive approach which allows more young people to be involved, to 'have a voice';
- Young people would be able to select those who they believe are the best candidates for the role.

At the same time the NICCY YP recognized that it may be challenging to involve young people in an election process. Several members suggested that the election could take place on-line but that realistically, young people might not take the time to vote. They acknowledged that an election had the potential to become a 'popularity contest' where individuals were elected on the basis of their popularity as opposed to their skills or attributes. They also suggested that candidates' friends and families might be more likely to vote, thus potentially skewing the outcome. Further to this, the NICCY YP noted the importance of ensuring that only young people voted in any on-line election.

Most of the NICCY YP believed that interviews were not the best approach as they were regarded as too 'formal', they made it difficult for a young person to be themselves and they might dissuade good candidates from putting themselves forward. Members of the YP reflected on the process employed to recruit young people to the NICCY YP. This involved bringing together all applicants, assigning them to groups and employing peer selection to identify new YP members. This was regarded as a positive and effective recruitment mechanism. One YP member suggested that in using this approach, it would be difficult to ensure a sufficiently diverse and representative range of young people were recruited. To address this, it was suggested that applicants could complete an application form in advance, outlining their views, interests, skills and attributes and that this would be factored in, when arranging the groups and designing the voting process.

c. Number of members of a Youth Assembly and 'staggered' selection

NICCY welcomes the intention outlined in the proposal to ensure that all areas of Northern Ireland receive equal representation. Proposals for the Youth Panel to provide a supportive role during the first year of the Youth



Assembly for an experienced group to remain within the Youth Assembly to assist new members are both constructive.

There was broad agreement from the NICCY YP regarding the proposal to select 36 members for the YA and for this number to then rise to 54 in the second year. A few members questioned how dialogue and discussion could be facilitated for such a large number of young people, however they also recognised that this number of members would help to ensure an effective representation of diverse views. The NICCY YP was also supportive of the proposal to always retain experienced members in the YA.

Members of the NICCY YP discussed the proposal to select members of the YA by constituency. While they were aware this mirrored MLA elections, they did note that given the considerable difference in the size of constituencies, young people in some areas stood a greater chance of being selected to serve in the YA. The YP questioned whether the use of constituencies might add a greater 'Political' dimension to the constitution of the YA. They were concerned that MLAs might encourage young people from their youth wings to apply for membership of the YA and that this could result in 'party politics' becoming a prominent feature in the YA. The NICCY YP was concerned that the YA *'should be about young people and not about Politics'* and that YA members should not be recruited from within political parties. While the use of constituencies was recognised as a relatively fair method of ensuring a broad geographical representation of young people in the YA, the YP believed that the use of constituencies should not be perceived as a link to party politics in Northern Ireland.

d. Length of term for Youth Assembly members

Two years was regarded as an acceptable term of office for Youth Assembly members by the NICCY YP and most members emphasised that this should be the maximum term for all individuals. It was suggested that 'retiring' YA members should seek to stay in touch with the Youth Assembly and that this should be facilitated by the YA support team at the NI Assembly.

e. Age range

NICCY YP members debated the proposed age range for NIYA members at some length. They recognized that this was quite a complex issue. Many members felt that the age range was too narrow and they discussed the benefits and disadvantages of the NICCY YP recruitment policy which includes young people aged between 12 and 19 years, and up to 21 years for those who are disabled or care experienced. Members broadly agreed that 12 years was perhaps a little too young, particularly if the upper age



limit was 21 years. However it was noted that given time, 12 year olds could grow in confidence although this might take a few years, by which time, their tenure would then be an end. Most of the YP suggested that 14 years was an appropriate lower age for member of the YA. It was suggested that a 14 year old was *'mature enough'* and could relate to different age groups. One member suggested, they would *'be able to relate still to younger children but have more of an understanding of the older age bracket'*. In terms of an upper age limit, the YP felt that 20 years of age was too old for individuals to be elected and particularly if this meant some YA members would be 22 years if they remained in the YA for two years. Several young people observed that a 20 year old could stand for election in the NI Assembly and that electing this age group to a youth assembly seemed to *'defeat its purpose'*. Members also questioned whether 20 year olds would have accurate *'insights into what young people and children want'*. An exception was made for young people who were disabled or care experienced. Some members suggested an upper age limit of 18 years while others proposed 19 years. In conclusion, the proposed age range varied from 12-14 years to 18-19 years, and 21 years for young people who are care experienced or disabled.

f. Fair representation

The NICCY YP broadly agreed with the proposals outlined to ensure a fair representation of young people. They were particularly keen that the YA would be as diverse and representative as possible and welcomed the intention to give due regard to Section 75 of the NI Act. Several members commented on the importance of individuals being selected because of their interest in the YA and their personal attributes and experience rather than because they belonged to a specific Section 75 'group'. NICCY YP highlighted the importance of ensuring that all groups were well informed of the selection and application process and encouraged to become involved. In further discussions around the issue of representation, members of the NICCY YP questioned how members of the YA could seek to represent the views of children and young people within their constituency area. They proposed this was an issue that should be explored during the early stages of development of the YA.

g. Role of a Youth Assembly

In defining the role of the Youth Assembly in greater detail, NICCY believes it will be important that every young person who is considering becoming a member of the YA should be very clear about its proposed aims, objectives, functions, activities and outcomes. It will also be important to clarify the role of each member of the YA and what is expected of them in terms of commitment, participation and conduct. In reviewing the YA's functions,



steps should be taken to manage young people's expectations and to clearly define matters/activities where the YA cannot have any involvement.

The NICCY YP strongly agreed that the YA should be a meaningful body that was not regarded only as a consultative or tokenistic forum. Members agreed that campaigning was an important role for the YA as was responding to relevant consultations. The YP proposed that there should be flexibility in the number of consultations and campaigns completed as the amount of work and degree of commitment required from the YA could vary between consultations/campaigns. NICCY YP were interested to learn more about the proposed role of the Youth Assembly, particularly with regard to its working relationship with the NI Assembly for example, the type of contact that YA members could expect to have with Assembly Committees and individual MLAs. NICCY YP members believed it was important that the Youth Assembly could effectively 'raise' issues of concern with MLAs as well as respond to issues presented to them by MLAs. NICCY YP members believed it was important that the YA was 'taken seriously' by MLAs and that its views, decisions or recommendations were genuinely considered and where appropriate, taken forward towards implementation.

h. Review

NICCY agreed that there should be an annual review of the YA and that young people should be involved in this, supported by the Youth Assembly team at the NI Assembly and where appropriate, external reviewers. The NICCY YP also agreed the YA should be reviewed on an annual basis.

i. Role of the Youth Panel in the Youth Assembly

The proposal to involve members of the NIA Youth Panel in supporting the YA during its first year was welcomed by the NICCY YP.

j. Meetings of a Youth Assembly

The proposals outlined in the consultation document regarding the frequency and location of YA meetings (five full meetings at Parliament Buildings and 5 meetings in other locations) were approved by the YP.

k. Residential meetings

Members of the NICCY YP commented on the merits of residential meetings, having participated in these themselves while working with NICCY. A few members did note however that if relationships were difficult between individual members, residential meetings would not necessarily contribute to improving these. Taking current financial constraints into account, it was suggested that just one residential meeting should be convened during the second year of the YA.



I. Partnerships

NICCY welcomes the intention to facilitate effective supportive relationships between the YA and external agencies. It will be essential that these are managed carefully and that specific procedures are put in place to define the nature of access which external organisations will have to the Youth Assembly. Potentially many agencies will wish to initiate contact and develop working relationships with the YA and indeed, some may seek to establish contact with individual YA members in their constituency area. It will be important that young people do not feel overwhelmed by such contact or placed under pressure to represent the views of individual organisations and steps should be taken to clearly outline the parameters of contact between the YA (both collectively and individual members) and external agencies. Youth Assembly members should also be given appropriate support to manage this aspect of their work.

Genuine support for the work of the YA from other organisations was regarded as essential if the YA is to be effective. The NICCY YP felt it would be useful to further clarify the nature of the 'strong and mutually supportive relationships' with partner bodies, referenced in the consultation document. The YP believed it was important that the YA was '*driven by*' young people selected to serve on it and that its agenda was clearly defined by them. There was a concern that organisations could potentially seek to influence the agenda and '*put pressure on young people to represent their views*'. It was proposed that policy guidelines be developed with regard to the nature and extent of contact between YA members and organisations. It was also suggested that specific guidance should be given to young people to help them manage support their work and manage relationships with other bodies

m. Management of the Youth Assembly

The NICCY YP agreed with the proposal outlined in the consultation document for the YA to be run by the NI Assembly, through a Trust.

n. Legislation

The proposal not to establish the YA in law was welcomed by the Youth Panel. Members suggested that to enshrine the YA in legislation at an early stage could potentially curtail its activities or '*stunt*' its development. Furthermore, if the YA was set up by law, it would be more difficult to effect any changes or amendments deemed necessary during the early stages of its development. Several YP members felt that young people might feel a greater pressure in serving in the YA if it were underpinned by legislation. It was suggested that time should be given to allowing the YA to '*bed in*' and for those serving in the YA to '*find their feet*'.



o. Induction and Training

The areas of training outlined in the consultation document were acknowledged as comprehensive and important. The NICCY YP reflected on the nature of training offered to them in NICCY, noting that induction materials provided to new members were compiled by longer-serving or retired YP members. It was suggested this would be an effective induction approach which could be used by the YA, perhaps involving the NIA YP in the drafting of the first YA induction pack.

p. Additional Issues raised by NICCY Youth Panel

The NICCY YP raised a number of additional issues relating to the proposals.

- Members highlighted the importance of a code of conduct for all members of the YA and agreed that all YA members should fully understand the code and what this would require of them, before they signed up to it.
- Several YP members questioned how those chosen to serve on the YA would be monitored in order to ensure they were 'doing a good job'. They believed it was essential that young people selected as members of the YA were appraised fully of their role and the expectations this placed on them.
- The NICCY YP suggested it would be helpful to learn lessons from Youth Assemblies in other legislatures, particularly in terms of identifying good practice and initiatives or activities which had been challenging or problematic.
- The YP members briefly discussed the role of 'party politics' in the Youth Assembly and expressed concerns about how this could influence exchanges and debates. Some members believed that rules should be created to define how members should debate in the YA.

4.0 Conclusion

NICCY and the NICCY Youth Panel believe the proposals for the establishment of the Youth Assembly present many exciting and valuable opportunities for young people in Northern Ireland to have a more prominent voice in matters affecting or concerning them. A number of NICCY youth panel members expressed an interest in becoming members of the Youth Assembly, provided clarification were given around a number of issues they had raised.

We would welcome feedback on the issues raised in our response and look forward to hearing from the Youth Assembly team. Should clarification be required regarding any points raised in this response, please do not hesitate to contact NICCY.

