

Key Asks for Children and Young People – April 2022

The NI Commissioner for Children and Young People has an important role in safeguarding and protecting children's rights. The following areas cover important issues that affect children and young people's ability to enjoy their rights fully and fairly.

The UN Convention on the Rights of the Child (UNCRC) is an international treaty, signed by the UK government on behalf of devolved nations, including NI, and sets out Rights applying to all children and young people

The following leaflet highlights key issues facing children and young people which should be a focus for Government. The issues are aligned to the outcome areas set out in the Children and Young People's Strategy 2020-2030, which is the delivery plan for the Programme for Government high level outcomes that will impact on children which include 'Giving children and young people the best start in life'.

'Giving children and young people the best start in life'

The pandemic has had a significant impact on all aspects of children's lives, this includes access to services, education, social development, family life and their emotional wellbeing and mental health. All children were affected by the pandemic, but not all were affected equally. Children with disabilities, physical or mental ill-health, living in poverty or in difficult family circumstances have been most affected.

Key actions by Government should include:

1. Ensure the COVID-19 Recovery Plan has sufficient focus on children and young people. particularly those whose wellbeing has been most impacted.
2. The Covid Public Inquiry must examine the impact of the pandemic on children and young people.

Physical and mental health

Northern Ireland has the longest health waiting times of all regions in the UK and the pandemic has made this worse. Delay in access to healthcare for physical and mental health can have a profound impact on all aspects of a child's life due to their age and developmental stage, and the impact worsens the longer they wait.

Key actions by Government should include:

1. Long term planning and investment in system reform, to include robust workforce planning.
2. Improving the visibility and accountability for child health across departments and agencies with regards to decision making, performance reporting and budget allocation.
3. Fully funded 10-year Mental Health Strategy.
4. Make improvements on data collection and reporting i.e. child health service waiting times, outcomes, patient satisfaction and quality of care.
5. Involve children and young people in all decision-making processes, including policy development.

Enjoyment of Play and Leisure

The pandemic has highlighted the importance of play and leisure to children and young people's wellbeing. The restrictions in these engagement opportunities have contributed to the developmental delays seen in some groups of children. It is vital that decision-makers take action to support children and young people to recover. Under 18s were not provided with the high street voucher scheme or anything commensurate with it.

Key actions by Government should include:

1. Provide a financial package dedicated to overcoming the loss of play and recreational activities over the COVID-19 pandemic. This should be used to increase the provision of facilities, programmes and events appropriate to different ages groups.
2. A 'social incentive scheme' for children and young people, providing them with free access, vouchers or discounts for play and leisure facilities.

Learning and achievement

Children and young people are much less likely to reach their full educational potential if they are from ethnic minority backgrounds, disabled, have a special educational need, from a disadvantaged community or receive free school meals. The issues driving these inequalities must be addressed by Government. The overall number of children with special educational needs (SEN) in Northern Ireland has risen by 48% since 2004/05, but gaps in supports and services have increased.

Key actions by Government should include:

1. Ensure that the Independent Review of Education takes account of the direct views and experiences of children and young people, ensures that children's right to education are met and is followed by a fully funded action plan.
2. Allocate funding to ensure transformation of the SEN system is progressed without further delay.
3. Address the lack of early identification and intervention in the current system.
4. Implement Government recommendations to include mandatory guidance and reporting on incidents of restraint and to ensure seclusion is prohibited in an educational setting.

Living in safety and stability

Safeguarding

The following areas are significant child protection issues in NI:

The majority of recorded sexual crimes in Northern Ireland are committed against children. Government and authorities must ensure that the processes in place to report and investigate abuse do not add to children's distress and trauma or delay their recovery.

In Northern Ireland we know that organised gangs, including "paramilitaries", seek to harm children through intimidation, issuing threats, carrying out assaults or involving them in criminal activities and violence.

The children's social care system requires fundamental reform and investment to improve the lives of children and families in need.

Key actions by Government should include:

1. Introduce a dedicated service for child victims of sexual abuse, where they can receive medical help, take part in investigations and court proceedings, and get therapeutic support all in one child friendly setting.
2. Make sure all government agencies work together to prevent children being harmed through criminal exploitation, to include intervening to safeguard them when they are at risk and pursuing those who seek to exploit them.

3. Ensure that the Independent Review of Children's Social Care takes account of the direct views and experiences of children and young people and is followed by a fully funded action plan.

Justice System

In NI, children are held to be criminally responsible at 10 years old. Human Rights standards encourage countries to adopt a minimum age of criminal responsibility of 14 years of age.

Children who encounter the youth justice system are amongst the most vulnerable and marginalised groups. Young people continue to believe that they are discriminated against when they are stopped and searched or questioned by the police. PSNI can cover young people's face and head with a spit and bite guard to prevent spitting and to protect officers against biting. Evidence suggests these have a detrimental impact on children, yet they are still being used.

Key actions by Government should include:

1. Increase the minimum age of criminal responsibility from 10 to 14 years of age in NI.
2. There should be no circumstance where a spit and bite guard is used on under 18s.
3. The PSNI must improve the quality of engagement with young people including demonstrating the purpose and outcomes of all Stop and Search operations.
4. Custody should be used as a measure of last resort.

Economic and Environmental Wellbeing

Child Poverty

There are currently more than 100,000 children living in poverty in Northern Ireland. Families living in poverty (of which two in three are working families) are struggling to heat their homes and feed their children. Families who do not have access to 'public funds' due to immigration rules are not able to access support even if they are facing homelessness, poverty or destitution.

Key actions by Government should include:

1. Resource and implement an Anti-Poverty Strategy that aims to eradicate child poverty.
2. Reinstate key social security benefits for children to levels prior to austerity cuts, including removing the 2-child rule.
3. Introduce a new child payment of £20 per week for each child in poverty.
4. Reducing family expenses, particularly in relation to children's education and transport.
5. A childcare strategy which provides accessible, affordable, high quality and flexible childcare.
6. Ensure that all families with children who are subject to immigration conditions receive help and don't end up destitute.

Environmental Issues

Climate change impacts children's health and development, with adverse impacts potentially extending throughout their lifetime. Moreover, they will have to live longer with the consequences than older generations. Children have a right to have a say in decisions affecting them now, and into the future. They are telling us that they are extremely anxious about climate change, and impatient for action.

Key actions by Government should include:

1. Involve children and young people in decision-making on environmental matters, including climate change.
2. Take action to achieve the targets of net zero greenhouse gas emissions by 2050.
3. Make sure the climate change actions do not have an unfair negative impact on disadvantaged groups.

Making a positive contribution to society

Children and young people have a right to participate and have their voice heard in all decisions being made that impact on them. When listened to, children and young people can play a vital role in the planning and delivery of services. Unfortunately, meaningful engagement with children and young by Government departments is inconsistent and sporadic.

Key actions by Government should include:

1. The Department of Education's should develop a policy on participation in decision making that will guide NI Government policy on meaningful engagement with children and young people.
2. Lowering the voting age to 16.

Living in a society which respects their rights

For children's rights to become a reality, government and its agencies need to work together to embed a child rights approach across all their work. Scotland is the only part of the UK where the UNCRC is part of domestic law. We are waiting for a Bill of Rights for NI to be progressed which would bring the UNCRC into NI Law.

Key actions by Government should include:

1. Making the UNCRC part of NI domestic law.
2. Effective planning and delivery of the Children and Young Peoples Strategy as the overarching government plan for improving children's lives.
3. Training and awareness raising of children's rights.

Living in a society in which equality of opportunity and good relations are promoted between persons who share a relevant characteristic and persons who do not share that characteristic.

In Northern Ireland, there are no legal protections against discrimination on grounds of age when accessing goods, facilities, and services. Proposals under the New Decade, New Approach, if applied, would introduce anti-discrimination legislation for all ages, including under 16s.

It is lawful for a parent or someone caring for or in charge of a child to use physical punishment. This means that children are afforded less protection from assault than adults. Scotland, Wales, Jersey and the Republic of Ireland have changed their laws, so children have the same protections. There is much evidence that physical punishment is harmful to children, ineffective in changing their behaviour in the long term and contrary to public opinion.

Key actions by Government should include:

1. Introduce anti-discrimination legislation to protect all age groups when buying Goods, Facilities and Services.
2. Reform the law in NI to ensure that children have equal protection from all forms of violence including physical punishment.
3. Improve support for parents and families, including a positive parenting support strategy.

The areas highlighted above are some of the key child right issues NICCY is working on, you can find out more about our work, by going to www.niccy.org/election22.