

EMAIL

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Ref: 21/CJS/KY/80

21 July 2021

Dear Eilís

Re: Proposals for a New Regional Service Delivery Model for Separated and Unaccompanied Asylum Seeking Children and Young People in Northern Ireland

I welcome the work being undertaken by the Department and the Health and Social Care Board to develop a regional service model for all Separated Children in Northern Ireland. I also welcome the opportunity that NICCY has had to inform the model at different stages, including at the pre-consultation stage and in the development of the Department's Child's Rights Impact Assessment (CRIA). I would like to congratulate the Department on its undertaking of a CRIA and its comprehensive consideration of the impact of the proposals on children's and young people's rights.

At this stage in the process, we reiterate the key principles for ongoing consideration in the further development of the model:

Children's rights: the service model and all associated developments should be explicitly based on the obligations held by Government and statutory agencies under the United Nations Convention on the Rights of the Child (UNCRC). We greatly welcome the Department's undertaking of a CRIA and emphasise the need for continued consideration of children's rights in any further development work and note that the service model option taken forward should be that which is assessed, including through the CRIA, as most effectively promoting the rights and best interests of Separated Children. We highlight the relevance of the Committee of the Rights of the Child's General Comment 6 on the Treatment of Unaccompanied and Separated Children outside their country of origin (2005)¹.

¹<https://www.refworld.org/docid/42dd174b4.html>

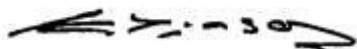
Whole child approach: the service model and all associated developments should address all areas of a child life, from protection from all forms of harm to access to appropriate accommodation, to healthcare, to family life and alternative care and to education, play and leisure. NICCY reiterates that drawing on the outcomes framework for children and young people established by the Children's Services Co-operation Act (Northern Ireland) 2015 and the Children and Young People's Strategy 2020-2030 in addition to the UNCRC provides a strong basis to support this. I note the importance of ensuring that such work pays regard to the particular vulnerabilities, circumstances and protection rights of Separated Children. This must include addressing, for example, access to an independent Guardian; protection from trafficking and exploitation at all stages, including access to the National Referral Mechanism; resolution of legal status, including access to legal representation; and development of a durable solution.

Children's voices: I welcome that children who have arrived in NI as S/UASC and who have lived experience of the current services have been consulted as part of the development process so far. Going forward, there should be an ongoing commitment to ensuring children's experiences inform the development, implementation, and evaluation of the service model.

Resourcing, flexibility and robustness: I reiterate the importance of ensuring the model has capacity to safely and effectively respond to immediate and unplanned increases in need, particularly given the unpredictability in the nature of Separated Children's arrivals into Northern Ireland. This robustness of the model should reflect the full range of resources that are necessary to achieve this, including the importance of staff expertise and knowledge across all relevant professional groups, and the need for effective working across areas of devolved and excepted remits.

We ask that the Department keeps my office informed of developments and we look forward to further engagement on this important work.

Yours sincerely



Koulla Yiasouma
Commissioner