

## Commissioner's Speech

Annual Event, 20<sup>th</sup> November, 2013

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Thank you all for attending today, I am absolutely delighted to have such a distinguished panel of guests to inform our developing dialogue on children's rights in Northern Ireland. Thanks to Heather for putting into context where we were 10 years ago and a special thanks to members of my Youth Panel for their views – it is vital that listen to young people and take on board what they say.

I would also like to add my welcome to Trond, Bronagh and Laura from whom we will hear later today.

Today is a day when we look back over the past decade, at the advances in children's rights to date and look forward to the next steps in realising those rights in **legislation, and across our society**.

Therefore we also mark progress towards **implementing the standards of the UN Convention on the Rights of the Child**.

When Royal Assent was granted to the Commissioner for Children and Young People Order on February 27<sup>th</sup> 2003 **we could not have predicted** the impact NICCY would have made in 10 years.

That impact is something which has come about thanks to the work of many people. Many of you in this room today have also worked hard and at times joined with me:

As NGO representatives of the children's & young people's sector;

As officials in my sponsor department and across the range of government departments; and,

As agencies working in the statutory sector.

Together we have been and are taking steps on the journey towards the fulfilment of children's rights.

Since coming into post it has been a **privilege to serve as Commissioner**. I am **deeply grateful** to work with a dedicated group of staff; staff who have helped me take the many steps necessary which have brought us to the stage we're at today in that journey.

I am **deeply grateful** to have picked up the baton on children's rights from Nigel Williams, the first Commissioner for Children and Young People.

And, for the opportunity to continue that work in safeguarding and promoting the rights and best interests of children and young people.

In reality this covers the work carried out for and on behalf of children and young people through our Legal and Investigations team – challenging breaches of their rights; to the government policies, strategies and legislation we have influenced based on our duty to advise; to those children and young people to whom we have given a voice. **NICCY has made a difference to their lives.**

I will soon be entering the final year of my term of Office as Commissioner. Therefore it is an appropriate time to reflect on the foundations we have helped put in place to build on in the next stage of achieving children's rights legislation in Northern Ireland.

However, for a short time I'd like you all to cast your mind back 10 years to 2003.

Life was different then for children and young people. The world wide web had arrived in 2003, but we really didn't know what that meant for our lives, Facebook and Twitter weren't even born then, and 24-hour rolling news was in its infancy. It can sometimes feel we lived in a different world.

In looking back we remind ourselves that children's rights here were in their infancy. Ten years ago few outside the children's sector or those directly involved with establishing NICCY would have heard of the Convention on the Rights of the Child.

Now, it is regularly referred to by Ministers as they introduce policy, MLAs refer to it in debates and committee sessions.

Two years ago I commissioned an audit on awareness of the UNCRC amongst MLAs and encouragingly most **had heard** of it and were aware of its implications.

Working together, we have all managed to bring the Convention from relative obscurity to centre stage. It is now acknowledged and recognised as integral **towards realising children's rights**.

### **We have indeed made real progress.**

In reflecting on my period as Commissioner within the past decade – and the challenges that have arisen during my term in office, it was clear to me that there was such a long way to go to achieve children's rights. Nigel had started to lay the foundations, which I believe I have built upon.

Together we have achieved much. Significant progress has been made and this is evident in our work.

You will have in your packs a document highlighting some of those achievements. On our website and in our Annual Report, you will find much more extensive information on the impact and difference made to children and young people's lives since 2003.

Earlier in my term I was able to publish for **the first time ever**, a joint report with the Office of First Minister and deputy First Minister and the Department of Finance and Personnel that clearly showed the disparity between **how much is spent on a child's personal health and social care** here in Northern Ireland, and in other parts of the United Kingdom.

As I stand here today NICCY is involved in two cases addressing children's rights with the European Court of Human Rights. This is **the first time** that a Commissioner for children and young people has had such interventions allowed by that court.

Today more and more government departments and their agencies have committed to the participation of children and young people. **11 Government departments have committed to developing real strategies for the participation** of children and young people in decision making and beyond.

Our Youth Justice System, for the first time is considering **the best interests of the child**, as referred to in Article 3 of the UNCRC, as its guiding principle.

The Office conducted an initial Child's Rights Review which I had updated in **an extensive report on Children's Rights in 2008**. This is still being cited in many academic reports and – based on our online evaluations - is still being downloaded by universities across the UK.

In 2011, I commissioned work by Laura Lundy and Bronagh Byrne on the **barriers to effective govt for children and young people**. That report helps focus our minds on how government must address those barriers.

It has also been a period when I had the opportunity to raise issues around the Articles of the UNCRC with **Ministers and MLAs** in a variety of settings, from face-to-face meetings through to detailed evidence sessions to committees. At each meeting and evidence session the Convention was not only referred to, but it was emphasised to all present that it is the **best way to ensure children and young people's rights and their best interests** are being met.

I continue to be involved at an **international level through the European Network of Ombudsmen for Children**, where I have learned much from colleagues across Europe which has informed my work in NI; This I did also during my time as President of the network to share learning from Northern Ireland.

But as we gather here on November 20<sup>th</sup> perhaps most importantly and unsurprisingly, my fondest memories are the times I have spent **meeting** with children and young people, **hearing** from them directly; and **learning** more from them on the issues they face.

I have been consistently amazed and delighted **with their skills, their eagerness, and dedication and with a clarity of thought** that has not been stifled and clouded by adults.

I have of course seen and heard of the many difficulties and issues facing our most marginalised and vulnerable children and young people - but I have never met any young person, who with the appropriate support services and interventions could not turn their lives round.

Children and Young People helped inform my first corporate plan and indeed this current one we are developing. **They delivered their views to government ministers in my Make It Right campaign**, they have **confronted the media** over the negative stereotyping of young people and developed their own campaign around this issue. This has now been referred to in the UK draft 2013 State Report to the UN Committee on the Rights of the Child.

And, they have **been designers, judges and presenters for my Participation Awards**. These awards have shown that the very concept of participation is becoming embedded in government agencies and departments.

We have also seen the appointment of Departmental Children's Champions – a step towards departments acknowledging the need to begin to have children and young people's issues informing the agendas in policy, strategy and legislative developments.

Just two weeks ago the Department of Health, Social Services and Public Safety launched a consultation on Paediatric Services. In the consultation document it states that the recommendations are:

**“...consistent with the relevant Articles in the UN Convention on the Rights of the Child”.**

Could we have imagined in 2003 that a Government Department would make such a firm commitment to the Convention? And encouragingly there are a range of similar examples where government departments such as the Office for the First Minister and Deputy First Minister, the Department of Education, and the Department of Justice have all referenced the UNCRC in a similar way.

However, what we have to bear in mind is that the convention is “not legally enforceable” in domestic legislation and it is our aim to ensure children’s rights are protected in such legislation

Then we will have achieved something remarkable. We will stand on a par with States across the world, and indeed with our colleagues in Scotland and Wales, who have taken steps towards the UNCRC being a living commitment to every child and every young person.

There is, of course, much work still to be done by us all to make this happen, but I know together we can rise to the challenge. Now we must take the next steps...

**We need to explain to government** – Ministers and Officials – what the UNCRC can achieve and how it will help them in their work delivering for Children and Young People.

**We need to ensure that awareness of the Convention grows** so everyone realises it will benefit their children, their grandchildren, their nieces, their nephews and their neighbour's children.

**We need to ensure that every policy** in Northern Ireland that affects children and young people is subject to a Child Right's Impact Assessment.

**We need to ensure that accurate up-to-date data** is collected about every aspect of children and young people's lives.

**We need to ensure** that every government department joins up their work for children and young people. **A child's life does not fit into 'silos'** – **we need to develop integrated holistic services** built around the child.

**We need to ensure adequate, appropriate and accountable budgeting** for children and young people's services.

**We need to ensure** children and young people's **participation is the norm**, not the exception.

**And, we need an effective overarching strategy and action plan to deliver for our children and young people.**

**These things are achievable.**

Our work will come together as one when the Northern Ireland Executive develops Child's Rights legislation which **incorporates** the United Nations Convention on the Rights of the Child.

Your participation today, your input and your thoughts, will help **inform this ongoing work.**

In building on this work my office will be asking the Northern Ireland Executive to ensure that:

- The rights and best interests of Children and Young People is at the heart of their ongoing work as we progress;

The views of Children and Young People themselves are taken into account in a real and meaningful way in decision making processes; and

and

- We realise the goal of enshrining Children's and Young People's Rights in Legislation for NI.

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t is my intention, and I hope yours as well to work towards such realisation.

And, in terms of hope, just a few weeks ago we opened a time capsule which contained memories and hopes which had been placed there when the first Commissioner, Nigel William passed away.

As NICCY has now been here for 10 years we intend to seal the capsule once again. Before we do that, over lunch, can you please write down your hopes for children on the cards provided? In 10 years time we will once again open the capsule and then I believe many of our hopes will have been realised.

In closing I would like to quote Carol Bellamy, former head of UNICEF. She said:

**"...in serving the best interests of children, we serve the best interests of all humanity."**

**We must dedicate ourselves to serve the best interests of all Northern Ireland's children and young people, and we serve them best when we make sure they all have all their rights.**

Thank you.