

## Speech by Koulla Yiasouma, Northern Ireland Commissioner for Children and Young People, at the 'Our Children, Our Future Conference' on March 20th 2015.

**\* Please check against delivery \***

Good morning

NICCY's job is to safeguard and promote the rights and best interests of children and young people. Children and young people means up to the age of 18, or to 21 if a young person has a disability or has been in care. NICCY uses the UNCRC to guide its work, and is focused on making sure children and young people know about and have access to these rights, so they have the best opportunity to reach their full potential.

I am pleased to be here and it is not my intention to repeat or pre-empt what others have or are going to say about the intolerable levels of child poverty in West Belfast and NI generally. In my first blog as commissioner I said that child poverty would be one of the key priorities of my four year term:

- **Reducing child poverty** - It is neither acceptable that there are 96,000 children in NI living in absolute poverty nor that they will be joined by approximately another 31,000 in the next 5 years. Our government must as a matter of urgency implement a clear plan of measures that will dramatically reduce these figures or preferably eradicate them.

Today I am going to speak about the rights of children across NI and mention some of the high level changes that I believe need to be made. So firstly I want to be clear that children living in poverty is one of the biggest barriers to the realisation of their rights.

*The Convention sees the child as a subject. He or she has the right to schooling, health care and an adequate standard of living, as well as to be heard and have his or her views respected.*

***This goes as much for the cute toddler as for the problematic teenager.'***

Thomas Hammerberg

It is my intention as Commissioner for Children and Young people to provide a strong and loud voice calling for government to implement a clear plan of measures to eliminate poverty and also to hold them to account if they are found wanting. The measures must be multi-faceted and are not simply about one thing or another. If we as a society genuinely want to make a difference, then we have to take a child rights approach not by picking and choosing which rights we think our children should have, but by ensuring that they have them all, whilst recognising that at different times we may need to concentrate on some more than others.

*'Children in need, just like persons with disabilities, have long been the favourite 'objects' of charity. They have been given support, not as a matter of right, but because people have felt pity for them. This is one of the attitudes that the Convention challenges.'*

I very much endorse this comment from Thomas Hammarberg, fulfilling the rights of those in need is not for charitable undertakings but must be at the core of what the state does. I am not for one minute saying that there is not a role for the NGO sector, of course there is, but it is to enhance and compliment the state sector not to make up for its deficiencies. The dialogue on child poverty has to seen through the lens of rights and social justice. Realising the rights of all our children is simply the right thing to do all of the time.

*"the committee has continuously rejected financial hardship as a legitimate justification of states parties to "take any or enough of the required financial or technical measures"*

UNCRC Working paper – realizing economic, social and cultural rights. Are children's rights a luxury during economic crisis?

Let's remember that during austerity we have less money not **no** money. The UN committee has made it clear that children's rights are non-negotiable and have warned various states parties not to use the economic downturn or austerity as an excuse not to give effect to Article 4 of the UNCRC where they are required to take the appropriate, legislative, administrative and other measures to realize the rights of all children. On Wednesday I received an e-mail from a mother whose 12 month old son has complex health needs, but because of lack of resources he has seen a health visitor once since August. Her son has had no physio again since August, the family have had to fundraise to pay for physio. This is just this sort of diminishing service that the Committee cautions against. The implementation of children's rights is not a luxury it is a necessity and it is only by taking a child's rights approach that we will have a fairer and more equitable society, particularly during the harder times.

In order to ensure the realisation of the rights, NICCY will be concentrating on ensuring the realisation of the general measures of implementation.

### **Measures from General Comment 5**

- National Strategy for children
- Co-ordination and co-operation of implementation of children's rights
- Child impact assessment
- Data collection and development of indicators
- Children visible in budgeting decisions
- Training and capacity building
- Independent human rights institutions

By embedding these measures into all government processes and systems (and this includes where they have been sub-contracted out to private or third sector organisations) we are more likely to have a child's rights compliant system, which will in turn eradicate poverty. Government needs to be aware of the impact on the lives of children and young people of their spending decisions, and take suitable steps to alleviate negative consequences.

In order to have some understanding of children's budgeting, NICCY is currently undertaking research which will attempt to quantify how much money is spent on services for children and young people. This information should be used to assist government and

others to inform decision making, and assess the likely impact on the lives of children. As you can also see the UN Committee believes that co-ordination is key to implementation of children's rights and for this reason I am a keen supporter of the Children's Services Co-operation Bill. It is only by having a duty to co-operate for the delivery and design of children's services, that we can ensure that government services are both efficient and effective. However the committee is also clear that government should not only be better at co-ordinating amongst its own bodies and departments, but also with "civic society". Communities in general, and the voluntary and community sectors specifically, must not be ignored. One of the many joys of NI, and West Belfast in particular, is its strong and vibrant communities. It is only by further strengthening these communities that improvements in children's lives will be sustainable. We need coherent, long-term and properly funded area based plans, which will meaningfully address the specific needs of specific communities. We must put an end to short-term 'faddy interventions' with competing plans and processes, one community - one plan. I am optimistic that the soon to be implemented community planning alongside locality planning processes and family support hubs that the CYPSP are leading on, may help bring this about and I will, of course, be keeping a careful eye on their roll-out and impact on children and young people.

Before I move on to talk about the specifics of child poverty we cannot forget the key partner in all decision making processes - children and young people. Whenever there are decisions to be made, particularly difficult ones, then we must engage with the end users of those decisions - children themselves. Meaningful engagement and conversations, not one-off consultations.

So a child's rights approach is the best way to ensure the end of child poverty, but there are of course specific measures that can be taken, and you will know many of them.

We clearly can't talk about child poverty without mentioning so called Welfare Reform. The proposed cuts in social security, rather than being a single event continues to be a constant 'hacking away' at the income of our most vulnerable families across GB and in NI in some shape or form. Indeed the UK Chancellor in his budget on Wednesday announced taking out another £12bn from the welfare budget. I am bewildered as to why it is our poorest and most vulnerable who have to pay for the worst excesses of some of the richest.

- Changing the way that working age benefits were increased to reflect the cost of living increases – thus benefits have been falling further and further behind the real cost of living year on year
- Transfer of Incapacity Benefit claimants to ESA
- Removal of non-means-tested ‘Health in pregnancy’ grant of £190
- Child benefit frozen
- Changes to tax credits whereby couples with children are required to work at least 24 hours a week between them, with one working at least 16 hours a week.

While these changes have resulted in many families living on already low incomes finding it even more difficult to make ends meet, the more significant ‘social security’ changes (I refuse to call it Welfare Reform) have yet to be implemented here in NI. We all know that our government’s lack of agreement means that unless some of the cuts are implemented other services will be dramatically affected, but we also know from the Stormont House agreement that some mitigating schemes are proposed which include, payments for people who are affected by the ‘bedroom tax’, and ‘top ups’ for disabled people who lose entitlement as the system moves from Disability Living Allowance to Personal Independence Payments. However, as is often the case, the ‘devil is in the detail’ - it remains to be seen if agreement will be achieved on the protections, how they will be implemented in practice, and how long they will be in place. Another thing to keep an eye on.

Whatever happens with the level of social security cuts in NI, it is hard to see how the Executive can meet their statutory duties to reduce child poverty under the Child Poverty Act.

*“Three out of the five judges found that the cap breached the UK’s obligation under the UNCRC to treat the best interests of children as a primary consideration and Lord Carnwath, who accepted the cap as lawful nonetheless called on the government to review the cap”*

The Guardian (on-line) 18<sup>th</sup> March 2015

Earlier this week the UK Supreme Court found by a slim majority that the benefits cap in GB for families was lawful, but also that it breached the UK’s obligation under the UNCRC. I am sure that the irony of a so-called legal measure that breaches international obligations to children will not be lost on the UN Committee when they examine UK government next year.

## Can there ever be a stronger case for the incorporation of children's rights into domestic legislation?

Too often the rhetoric about poverty alleviation is viewed within the prism of economic regeneration. You just have to look at the Programme for Government to see the notion that an improving economy will automatically result in improved well-being for everyone. 'A rising tide lifts all boats'. This myth has been clearly busted by a variety of economists including Randall Wray and Joseph Stiglitz. Too often, the only boats that a rising tide lifts are yachts – unless governments intervene to make sure that economic development benefits all in society.

I am not so naive as to suggest that a healthy economy does not contribute to improved outcomes for children and young people but it is only a factor – and depends on economic and social policy that aims to address inequality, rather than deepen it. "Beneath the Surface" articulates the need for a myriad of approaches, which Les Allamby at the end of his chapter characterises as tackling income poverty and increasing inequality alongside programmatic approaches, which I assume he means services like family support and skills and education training. So some of the calls I am likely to be supporting are:

- That the next **Programme for Government** must contain a set of commitments to children including ending child poverty by 2020 as stated in the 2010 Child Poverty Act.
- We need a reviewed over arching **Children's strategy** (from 2016) which fully implements the rights of all our young people alongside a complimentary **child poverty action plan**.
- As you know the Executive is required to produce child poverty strategies every three years, and annual reports on the progress of four measures.

However, according to this timeframe a three year child poverty strategy should have been published by the Executive in March 2014, and to date this has not occurred, placing the Executive in breach of the Child Poverty Act. Perhaps more importantly, we are far away from each of the four targets, indeed, according to the analysis commissioned by OFMDFM, rather than moving towards eradication, we are due to reach unprecedented rates of child poverty by 2020.

- **Sufficient income** - It doesn't make sense to me that so many children are living in poverty even though their parents are in employment. Surely to goodness we are long-overdue for legislation to ensure work pays and that everyone is entitled to a **living wage**.
- **Seasonal grants** – this may include lump sum payments for families with children made twice a year – in winter to help with heating costs, and in summer to help with costs when children are off school – including the additional meal they need.
- I have already talked about **improved services and integrated planning** for our most vulnerable children and young people and their families within their communities.
- **Targeted services** for specific groups of children and young people –we know that children living in homes where they or a family member has a disability or within lone parent families are more likely to live in poverty than other children.
- **Revenue generation** – there are measures that can be taken by the Executive to increase government revenue and may include removing the rates cap, or dare I say it, water rates. There needs to be sufficient means testing to protect the poorest.
- Additionally I am unconvinced that lowering corporation tax will bring in sufficient revenue to repay the cost and then increase the incomes.

Another one of my key priorities is likely to be to address the stark inequalities of our education system here in the North. There is a lot of talk about education being a route out of poverty for our children, but no evidence that this is the case. The most compelling chapter in *Beneath the Surface* was that written by Goretti Horgan. She quotes evidence that from the age of 22 months, there is an educational gap between poor children and those from more affluent families, which only widens as children get older. I know from my own work that young people are very clear that their economic status completely impacts on the quality of education that they receive.

## Posh vs Poor

There are many reasons why our education system does not meet its potential to close the early attainment gap. These include the stigma and consequent lack of engagement with school that poverty brings such as not being able to afford trips, school uniform, not

applying for free school meals. This is then exacerbated by children experiencing multiple disadvantages, being concentrated in particular schools, making retention of good staff a challenge, and placing intolerable pressures on teachers resulting with poorer levels of teaching in some schools.

A free school day is an absolute necessity for all children in NI. When children step through the doors of a school there should be no requirement for any payment, and therefore no difference experienced by children whether they are rich or poor.

Again Goretti has identified the source of this additional funding when she says:

*“.....too much of the cost of education in NI goes into maintaining a segregated system – segregated on the lines of religion, social class and gender. Evidence from across the world is clear that mixed-ability schools with a good social mix provide the best education outcomes. Our children deserve no less”*

This is powerful stuff which I most definitely will be considering carefully in the next few weeks.

To have children persistently poor in our community in the 21<sup>st</sup> century is intolerable, and I congratulate Jane, Deirdre and everyone at the Whiterock Children’s centre for working tirelessly to address this issue.

I commit to you now to be a strong advocate for the children in poverty in Northern Ireland, and for those thousands of children who will fall into poverty over the next 4-5 years, unless the Executive takes its responsibilities seriously and starts to work together to tackle this dreadful scourge. Surely all our politicians can set aside any differences and division to get together to address child poverty. And when they do, we must all get behind them to play our part.

So **thank you for listening** and I just want to leave you with the very wise words of Nelson Mandela.

*‘Overcoming poverty is not a gesture of charity. It is an act of justice. It is the protection of fundamental human rights.’*

Nelson Mandela