




STATEMENT ON CHILDREN'S RIGHTS IN NORTHERN IRELAND 2

SUMMARY OF CALLS

November 2020



You have the
RIGHT
to know your
RIGHTS!

INTRODUCTION

NICCY'S Mission:

'To safeguard and promote the rights and best interests of children and young people'



"To Safeguard and Promote the Rights and Best Interests of Children & Young People"

The Northern Ireland Commissioner for Children and Young People is the independent Children's Rights Institution in this jurisdiction. NICCY's legislation¹ requires me to have to have due regard to the United Nations Convention on the Rights of the Child² as the basis of our work. Part of our work involves monitoring Government and its delivery in respect of children and young people's rights, as manifest through adequate and effective laws, practice and services.

This collation of Calls to Government is based on my second biennial 'Statement on Children's Rights in Northern Ireland'

(SOCRNI 2) and is informed by current contexts (including the impact of the Covid Pandemic), the UN Committee's Concluding Observations (2016), and NICCY's work with stakeholders on key identified priorities.

On reading through, it will become clear that there is much to be done to address issues in education, mental health, poverty, youth justice, safeguarding, discrimination, Brexit and the legacy of the conflict, as well as understanding and addressing the impact that Covid-19 has had on the lives of children and young people.

As we approach the next examination of the UK Government by the UN Committee on the Rights of the Child we have also updated the Monitoring Table outlining compliance by the Northern Ireland Government with the Committee's Concluding Observations published in June 2016, following the last examination. This table includes commentary by NICCY on performance and is available separately at www.niccy.org/socrni2; links to this and other documents are provided throughout the report.

The NICCY Youth Panel have been involved in the development of a young person's version of the report. We have in recent years seen children and young people continue to

¹ The Commissioner for Children and Young People (Northern Ireland) Order 2003

² The UNCRC is a set of minimum standards that the UK Government and its devolved administrations have committed to upholding for all children through ratification of the Convention

find their voice as Rights Defenders. Young people are no longer waiting to be asked and are demanding change on the issues that most affect them. They have taken the lead in protecting the environment, in changing attitudes to mental health and getting fairness in examinations.

In Northern Ireland we have watched whilst other jurisdictions on these islands have to varying degrees progressed by publishing strategies, introducing structures and passing legislation that have furthered children's rights. It has sometimes felt like the children of Northern Ireland were being left behind. But in spite of this lack of policy and legislative progress children and young people, communities, services and agencies have all demonstrated remarkable resilience in making

changes wherever and whenever it has been possible.

The New Decade New Approach Deal that heralded the return of the political institutions in Northern Ireland is a testament of the work and preparation that was undertaken. It outlines an ambitious programme to address many of the issues we highlighted in SOCRNI (2018) and other publications. Therefore it is with optimism that we make these calls in 2020.



Koulla Yiasouma

Northern Ireland Commissioner for Children and Young People, November 2020



Every1
= is =
equal



SOCIAL MEDIA

EVERY CHILD, EVERY RIGHT



GOOD REASONS

- : Social Media Makes It Easier to Make Friends. ...
- : Social Media Fosters Empathy. ...
- : Social Media Allows for Speedy Communication. ...
- : Social Media Makes the World Seem Smaller. ...
- : Social Media Helps You Build Relationships

Social Media Can Benefit Mental Health Too

Emotions expressed online affect your mood. It not only helps to relieve **social** isolation but also open new communication pathways and offers much-needed support. It allows people to share their thoughts without revealing their identity

Pros of Social Networking

- : Ability to connect to other people all over the world. ...
- : Easy and instant communication. ...
- : Real-time news and information discovery. ...
- : Great opportunities for business owners. ...
- : General fun and enjoyment. ...
- : Information overwhelm. ...
- : Privacy issues. ...
- : Social peer pressure and cyber bullying

Why is social media so important?

78 % of small businesses use **social media** to attract new customers. **Social media** marketing helps to validate your brand. A company's **social media** presence, when done correctly, tells consumers that their brand is active and focused on thriving communication with consumers. 27 Mar 2016

BAD REASONS

Teenagers try to change their personality by wearing lots of make-up and getting plastic surgery and they are step it up to another level by not eating to looking like the ones they see on social media .

There is a code FOMO (FEAR OF MISSING OUT)

Snapchat is an image messaging and multimedia mobile application created by Evan Spiegel, Bobby Murphy, and Reggie Brown, former students at Stanford University, and developed by snap Inc, originally Snapchat Inc Snapchat was made in September 2011.

Cyberbullying is a way to make someone unwanted Cyberbullying includes sending hateful messages or even death threats to children, spreading lies about them online, making nasty comments on their **social networking** profiles, or creating a website to bash their looks or reputation

The Internet, particularly **social media**, is another outlet for possible downfall. When it comes to technology and teens normally the **dangerous** things that come to mind are sexting, online predator, and cyberbullying. All are incredibly damaging, more common than people think, and should be talked about.

8. SUMMARY OF NICCY CALLS TO GOVERNMENT (2020)

Educational Inequalities

It is essential that Government ensures that all children and young people experience their right to an effective education by addressing the following recommendations:

1. Ending the educational attainment gap between specific groups of children and young people and removing all barriers to every child's full participation in, and access to, a child rights compliant education system including supporting LGBTQ+, newcomer, children in care, and children with SEN. This must include full implementation of the recommendations from 'Too Little, Too Late', NICCY's rights based review of SEN provision in mainstream schools, and immediate commencement of the new SEN Framework.
2. Government must prioritise the promotion and monitoring of mental health and wellbeing of children and young people in schools, and protect against factors negatively impacting on well-being in schools by:
 - Implementing the 'Addressing Bullying in Schools Act (Northern Ireland) 2016' as a matter of urgency;
 - Ensuring that all children who require access to counselling services can do so. This must include ensuring access to ICSS in primary school settings;
 - A prevention and early intervention approach to emotional health and wellbeing. This must include prioritising the implementation of the Emotional Health and Wellbeing Framework in schools; and
 - Implementing a measure of well-being across all schools in Northern Ireland and ensuring that this measure is completed by every pupil.
3. Government must move towards a single education system that is UNCRC Article 28 and 29 compliant, fit for purpose, provides greater efficiency and addresses the cost of education for families. This must involve a proper review of our segregated system and addressing the fundamental flaws and inequalities that arise from academic selection.
4. Ensuring thorough and ongoing assessment of the impact of the Covid-19 pandemic and Government response to this on all children and young people's access to education, including the most vulnerable such as those attending special schools.

Mental Health

Government must prioritise children and young people's mental health by taking the following measures:

1. Implement the recommendations of the Still Waiting Review and ensure its findings inform all current and future strategies to reform services. This must include long term investment to sustain services and improve outcomes.
2. Prioritise investment in those areas which reflect the most egregious breaches of children's rights, ensure that all funding decisions are transparent and equality impact assessed and establish robust monitoring and evaluation processes to allow for effective measurement of impact.
3. Ensure adequate mental health provision is in place to meet the needs of children and young people affected by the Covid-19 public health crisis. To include a proactive response to reducing pandemic-related adversities that are known to harm mental health, for example, those with pre-existing mental health problems or disabilities, those affected by domestic violence, abuse and poverty.

Child Poverty

The agreement of the political parties to form an Executive, and the 'New Decade, New Approach' commitments opened up the possibilities of prioritising actions to target poverty and to build an economy that would allow all the people of Northern Ireland to prosper. The delays in developing a Poverty Strategy, and an Economic/Industrial Strategy have hampered the creation of new approaches to support the poorest in our society, including a revised 'Welfare Reform' mitigation package. However, just as the Minister for Communities was reaching agreement with Executive colleagues in relation to this, to be in place in time for the 'cliff edge' of 31 March, the COVID-19 crisis hit, with devastating consequences not just in relation to the health of the population, but for businesses, jobs, and family incomes.

At the moment, during the crisis, the UK government, the Executive, government departments and agencies are seeking to minimise its impact on the economy and ensure that the basic needs of the population are met. However, coming out of the crisis, there is an opportunity to harness the renewed focus on working together to rebuild the economy, our health and social security systems to be more robust and to focus on meeting the needs of all within society, particularly the most vulnerable.

Government must take action to prioritise the eradication of child poverty through:

1. Ensuring that the new Executive Economic/Industrial Strategy focuses on rebuilding the economy after the Covid-19 crisis in such a way that all those who can work, including young people and parents, can play a part and receive a decent wage, which enables them to live above the poverty thresholds;

Child Poverty *Continued*

2. Adapting the new mitigation package to include elements to address child poverty and provide support for low income families, including continuing the mitigations relating to the social sector size criteria, the benefit cap, the payment for children transferring from DLA to PIP and the following new elements:
 - a. mitigation payments for families affected by the two child limit and removal of the family elements of tax credits;
 - b. grants to address costs associated with employment (as originally advised by the Mitigations Working Group);
 - c. a per-child payment for low income families; and
 - d. an expanded payment for low income families with young children, based on the Scottish Government's 'Best Start' Grant.
3. Transforming the UK Social Security system so that, once again, it becomes an effective 'safety net' for all in society. The government must provide a renewed vision for the social security system, and reverse the harmful policies that have undermined it. Families should be guaranteed a minimum income; and
4. Developing and implementing a new Anti-poverty Strategy without delay. This should adopt a 'lifecycle approach' reflecting the causes and impacts of poverty at different ages, and including actions in relation to early years children; school age children; working age adults; and pensioners. Actions relating to children should include introducing affordable childcare, tackling educational inequalities and social exclusion and addressing homelessness.

Calls to Government 2020 (Safeguarding):

Government must ensure that all children are safe and protected from harm through:

1. Thorough and ongoing assessment of the impact of the COVID-19 pandemic and Government response to this on safeguarding arrangements and protections for children and young people.
2. Commencing with urgency, the statutory multiagency child death review process in line with Section 3(5) of the Safeguarding Board Act (Northern Ireland) 2011; and
3. Taking forward the Barnahus model to respond to all child victims of sexual offences and revising CSE Progress Reporting to ensure this provides evidence of improved outcomes for children and young people.

Calls to Government 2020 (children and families subject to immigration control):

1. The UK and Northern Ireland Governments must ensure that the rights of all children, including those of destitute asylum seekers, are fully protected and that they receive the support they need.
2. The Government must strengthen current provision for Separated Children so that arrangements can safely and effectively respond to unplanned increases in numbers of children arriving in Northern Ireland.
3. Government must ensure that measures are in place to enable children and families subject to immigration control to travel across the land border to access healthcare services and participate in educational, sporting or cultural activities as necessary.

Calls to Government 2020 (Digital Environment):

In order to promote and safeguard children's rights in the digital world Government must:

1. Ensure that Northern Ireland has a robust strategy to protect children's rights in the digital environment in place and urgently deliver a child rights based online safety strategy as part of this.

Calls to Government 2020 (Restraint and Seclusion):

In order to protect children's rights Government must, as a matter of urgency:

1. Ban the use of restraint and seclusion for disciplinary purposes, and the use of any technique designed to inflict pain on children;
2. Ensure that restraint and seclusion are only used as a measure of last resort, to prevent harm to the child or others; and
3. Make reporting of the use of restraint and seclusion mandatory across all settings.

Youth Justice

The lack of a NI Assembly and Executive since the first 'SOCRNI' report in 2018 until it's resumption in January 2020, has meant that there has been little significant progress in the implementation of children's rights in the Youth Justice System. There must be an increased impetus to ensure that the system is child rights compliant.

1. The Youth Justice System must address the substantial outstanding issues concerning the implementation of the best interests principle. This must include:
 - a) Custody as a last resort and for the least possible time;
 - b) Outcomes data on the impacts on / changes in the lives of young people who have received services from the YJA;
 - c) Diversion from the formal system;
 - d) Statutory time limits for the processing of youth court cases of 120 days; and
 - e) Participation of children and young people in design and delivery of services.
2. Introduce proposals to raise the minimum age of criminal responsibility to 14 years immediately;
3. The PSNI must demonstrate the purpose and outcomes of all Stop and Search operations involving children and young people, and must also improve the quality of engagement with young people.

UK Withdrawal from the EU ('Brexit')

Government must ensure no adverse impacts on children's and young people's rights and access to services as a result of UK withdrawal from the EU ('Brexit') through the following:

1. All aspects of the Good Friday Agreement must be protected including the right of people in Northern Ireland to identify as British, Irish or both. Moreover, the commitment to safeguarding human rights and the principle of equivalency of rights across the island of Ireland must be ensured;
2. The UK Government, Irish Government and European Union must work together to avoid physical infrastructure being located at or around the UK-EU border on the island of Ireland;
3. Safeguarding children and young people must be ensured through maintaining current security, policing and justice mechanisms similar to those provided through Europol, Eurojust, ECRIS, European Arrest Warrant and Data protocols in a 'Future Security Partnership';
4. The UK and Irish Governments must co-operate to ensure freedom of movement of people across the border is not impeded so that children, young people and their families continue to access services and facilities on either side of the border e.g. in relation to health, education, family life, sports, cultural and leisure activities;
5. The UK Government (post-Brexit) should commit to the continuation of financial support currently provided to Northern Ireland by the EU including through agricultural subsidies, structural funds and grants which contribute significantly to the Northern Ireland economy and alleviate child poverty / promote adequate standards of living – with a particular focus on disadvantaged groups and communities; and
6. Incorporation of the United Nations Convention on the Rights of the Child must be actioned to safeguard and promote the rights of all Children and Young People in Northern Ireland.

Legacy of the Conflict

NICCY welcomes the educational initiatives and pilot programmes which have been introduced to tackle paramilitarism. However, the most recent data show an increase in paramilitary style assaults from previous years. More work clearly needs to be done to expunge the scourge of paramilitarism from Northern Irish society and its continued impact on children and young people.

Government should continue to address the legacy of the conflict by:

1. Ensuring the full and effective protection of children and young people from trauma, violence or mistreatment in their communities, including from all forms of violence by non-State forces as well as from recruitment by such forces.
 - This should involve full monitoring and evaluation of the pilot programmes which are currently in place to tackle paramilitarism. The Government should invest more in those programmes that are particularly efficacious and lead to positive outcomes.
2. Addressing the continuing impacts of the conflict, including mental ill health, family breakdown, child poverty and educational under attainment and the provision of adequate support services to children and young people in their communities. Information about the conflict should be provided to children and young people with a view to achieving a shared narrative about the conflict;
3. Making wider and earlier use of the whole school curriculum to promote tolerance and a mutual understanding of community identities. Efforts must be made to encourage integrated education and collaborative projects between Catholic and Protestant schools to give children in both communities more opportunities to work together and integrate;
4. Supporting children and young people to play a central role in building a peaceful future in Northern Ireland, recognising that over many years, children have acted as human rights defenders. This should involve ensuring that children and young people are supported to explore and celebrate their culture, and to recognise the right of others to celebrate theirs.

Participation

Government must continue to prioritise the participation of children and young people through:

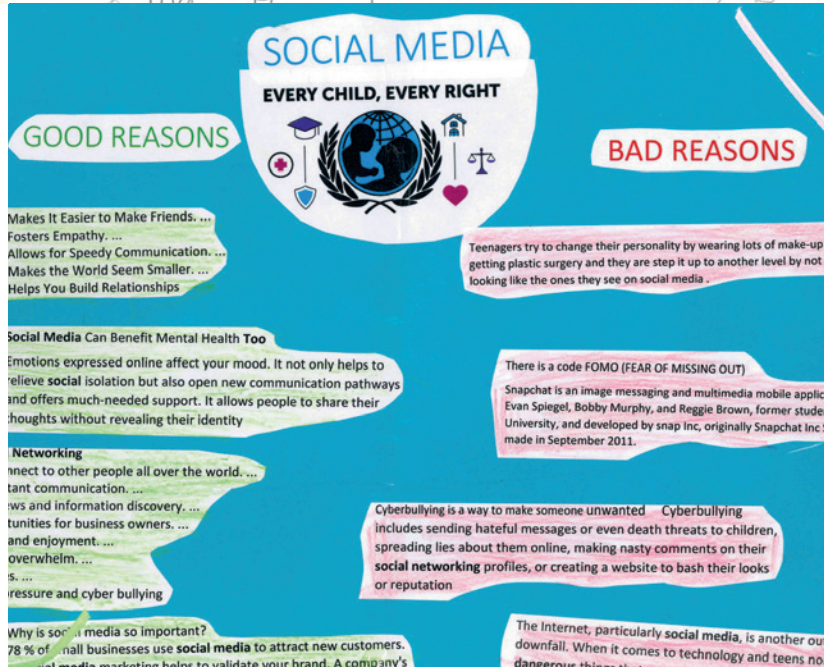
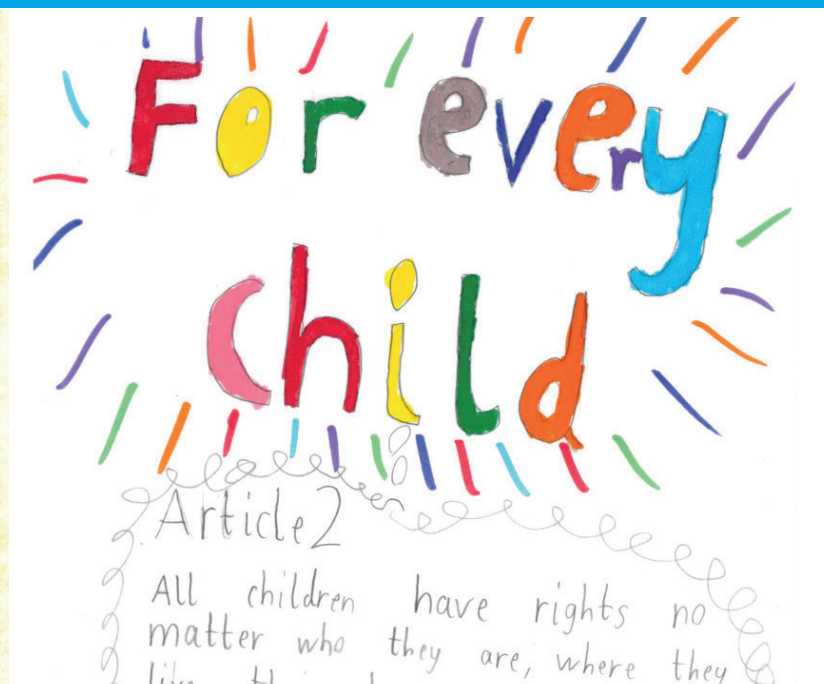
1. Ensuring DE's Participation in Decision Making initiative is endorsed and supported by all relevant public bodies and delivers a structure for meaningful participation of children and young people, especially those most vulnerable.
2. Ensuring that collaboration between Departments and their agencies establishes appropriate structures for the meaningful participation of children and young people in the development, implementation and evaluation of policies, strategies, legislation and services.
3. The development of a DE policy to ensure meaningful pupil participation in schools, including through requiring schools to establish a schools council/forum. This should be supported by an appropriate inspection process.

Challenging Discrimination

Government must act to protect children and young people from discrimination through:

1. 'Age GFS' legislation which covers all age groups to include the protection of children and young people from discrimination when accessing goods, facilities and services;
2. Consideration to further the application of the Mental Capacity Act to children under the age of 16 and consider further the operation of child/parental consent in respect of medical interventions; and
3. Legislative reform to ensure children have Equal Protection from all forms of assault, including physical punishment, and strengthened commitment to supporting families, including through dedicated and effective positive parenting support.





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Please contact the communications team at NICCY if you require an alternative format of this material.

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NICCY
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