

# Opening Statement to the Joint Oireachtas Committee on Children and Youth Affairs

8 May 2019



Founded in 1995, the Children's Rights Alliance unites over 100 members working together to make Ireland one of the best places in the world to be a child. We change the lives of all children in Ireland by making sure that their rights are respected and protected in our laws, policies and services.

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Ag Eisteacht  
Alcohol Action Ireland  
Amnesty International Ireland  
An Cosán  
ASH Ireland  
Assoc. for Criminal Justice Research and Development (ACJRD)  
Association of Secondary Teachers Ireland (ASTI)  
ATD Fourth World – Ireland Ltd  
Atheist Ireland  
Autism Network Ireland  
Barnardos  
Barretstown Camp  
Bedford Row Family Project  
BeLonG To Youth Services  
Care Leavers' Network  
Catholic Guides of Ireland  
Child Care Law Reporting Project  
Childhood Development Initiative  
Children in Hospital Ireland  
COPE Galway  
Cork Life Centre  
Crosscare  
Cybersafe  
Dental Health Foundation of Ireland  
Department of Occupational Science and Occupational Therapy, UCC  
Disability Federation of Ireland  
Down Syndrome Ireland  
Dublin Rape Crisis Centre  
Early Childhood Ireland  
Educate Together  
EPIC  
Extern Ireland  
Focus Ireland  
Foróige  
Future Voices Ireland  
Gaelscoileanna Teo  
Good Shepherd Cork  
Home-Start National Office  
Immigrant Council of Ireland  
Inclusion Ireland  
Independent Hospitals Association of Ireland  
Institute of Guidance Counsellors  
Irish Aftercare Network  
Irish Association for Infant Mental Health  
Irish Association of Social Workers  
Irish Centre for Human Rights, NUI Galway  
Irish Congress of Trade Unions (ICTU)  
Irish Council for Civil Liberties (ICCL)  
Irish Foster Care Association  
Irish Girl Guides  
Irish Heart Foundation  
Irish National Teachers Organisation (INTO)  
Irish Penal Reform Trust  
Irish Primary Principals Network  
Irish Refugee Council  
Irish Second Level Students' Union (ISSU)  
Irish Society for the Prevention of Cruelty to Children  
Irish Traveller Movement  
Irish Youth Foundation (IYF)  
Jack & Jill Children's Foundation  
Jesuit Centre for Faith and Justice  
Jigsaw  
Kids' Own Publishing Partnership  
Lifestart National Office  
Mecpaths  
Mental Health Reform  
Mercy Law Resource Centre  
Migrant Rights Centre Ireland  
Mothers' Union  
Mounttown Neighbourhood Youth and Family Project  
Museum of Childhood Project  
MyMind  
National Childhood Network  
National Organisation for the Treatment of Abusers (NOTA)  
National Parents Council Post Primary  
National Parents Council Primary  
National Youth Council of Ireland  
Novas  
One Family  
One in Four  
Parentstop  
Pavee Point  
Peter McVerry Trust  
Rainbows Ireland  
Rape Crisis Network Ireland (RCNI)  
Realt Beag  
Respond Housing  
SAFE Ireland  
Saoirse Housing Association  
SAOL Beag Children's Centre  
Scouting Ireland  
School of Education UCD  
Sexual Violence Centre Cork  
Simon Communities of Ireland  
Social Care Ireland  
Society of St. Vincent de Paul  
Sonas Domestic Violence Charity  
Special Needs Parents Association  
SPHE Network  
SpunOut.ie  
St. Nicholas Montessori College  
St. Nicholas Montessori Teachers' Association  
St. Patrick's Mental Health Services  
Step by Step Child & Family Project  
Suas Educational Development  
Teachers' Union of Ireland  
Terenure Rugby Football Club  
The Ark, A Cultural Centre for Children  
The Prevention and Early Intervention Network  
The UNESCO Child and Family Research Centre, NUI Galway  
Traveller Visibility Group Ltd  
Treoir  
UNICEF Ireland  
youngballymun  
Youth Advocate Programme Ireland (YAP)  
Youth Work Ireland

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## Report Card 2019: Opening Statement

The Children's Rights Alliance welcomes the opportunity to address the Committee on our flagship publication Report Card 2019. The Alliance unites over 100 members working together to make Ireland one of the best places in the world to be a child. We change the lives of all children by making sure their rights are respected and protected in our laws, policies and services.

### Report Card

The Report Card is an established accountability tool for the Children's Rights Alliance and our members, as well as an important information resource for politicians, policy makers, service providers, non-governmental organisations and academics. It scrutinises the Government's own commitments to children flowing from its programme for government. This is the eleventh edition of our annual Report Card series, launched in 2009. The commitments selected from A Programme for a Partnership Government are those that are likely to have the biggest impact on children's rights and that are measurable for the Children's Rights Alliance team. The grading was carried out by a high level independent assessment panel, comprised of some of Ireland's leading experts in child law, human rights and education, and representatives from business, trade unions, Social Partnership, academia and rural Ireland.

### Highs and Lows

The Government is awarded an overall 'C' grade in *Report Card 2019*. This grade reflects a satisfactory attempt overall but children are still left wanting. While the highest grades in *Report Card 2019* are an 'A-' for LGBTI+ Children, and a 'B' for both Physical Health and Child Protection, the lowest grade is again awarded for Child and Family Homelessness, which received a 'F' grade in light of the continuing and escalating national emergency in housing.

'Parental Leave and Income Supports' receives a 'B-' grade in Report Card 2019, an improvement on last year's 'C' grade. Budget 2019 introduced a number of important measures to help tackle child poverty and deprivation including the introduction of a higher rate of Qualified Child Increase (QCI) for children over the age of 12. This reflects the higher cost of living for adolescent children.

All in all, it is fair to say that incremental progress has been made over the lifetime of this Government to date. An overall Report Card grade of 'C', as compared to the 'C-' in 2017 and 'D+' in 2018, recognises the fulfilment of commitments in the Programme for Government. As the housing crisis continues to escalate and Ireland braces itself for the repercussions of Brexit, it is vitally important that in reacting to these significant challenges, a child-centred approach is mobilised across government in every policy area. At this significant turning point, it is important to recognise that history will not judge us kindly for not putting our children's rights front and centre.

While the Report Card covers six key areas, we have chosen to highlight a number of particular sections today.

### Refugee and Asylum Seeking Children

Changes to the Direct Provision and international protection system have resulted in a 'C' grade, up from a 'D+' in 2018. This is the highest grade ever awarded for this section and comes following some significant positive steps by the Government this year. This includes a third increase to the Direct Provision payment for asylum seeking children in as many years, up from €21.60 to €29.80 a week for children living in Direct Provision.

The development of national standards for accommodation for people seeking protection is particularly important as they will address institutionalisation and will ensure that families with children will have their own private living space. However, we will know that the Government means business when independent inspections for Direct Provision accommodation are in place. From our perspective, the Health Information and Quality Authority (HIQA) is best placed to fulfil this role.

### **Child and Family Homelessness**

Child and Family Homelessness' receives an 'F' grade in Report Card 2019, a drop from last year's 'E' grade. This grade reflects the deteriorating housing crisis with almost 10,000 people living in emergency or temporary accommodation. Nearly 4,000 children are experiencing homelessness which is having a detrimental impact on their health, wellbeing, education and relationships. Family hubs are being heavily relied upon in the absence of affordable and social housing. The Rapid Build Programme has delivered fewer than 350 homes out of a planned 1,500 in almost three years of operation. To address the crisis, declare a national emergency. Families need to be provided with the necessary financial and material supports to enable them to remain in their homes, increase security of tenure and ensure that children are not forced to live in unsafe and unsuitable conditions. Redirect funding from family hubs into longer-term sustainable solutions. Furthermore, legislate to end the long-term use of unsuitable emergency accommodation for children and families and implement Housing First commitments as a matter of urgency.

### **Traveller and Roma Children**

A 'D-' grade is awarded to 'Traveller and Roma Children', reflecting the daily discrimination that Traveller children face in accessing the services, housing and education to which they are entitled. The increasing numbers of homeless Traveller families is particularly worrying as it adds to the already alarming levels of overcrowding. Forty per cent of Traveller families live in overcrowded accommodation compared to only six per cent of the general population. While there has been welcome progress on the National Traveller and Roma Inclusion Strategy (NTRIS) actions, we are concerned at the repeated underspend of local authorities on Traveller-specific accommodation. To address the significant accommodation issues faced by Traveller families, the report and recommendations of the Expert Group should be published as a priority with a clear plan detailing timelines and actions for implementation.

We also saw in the Roma Needs Assessment the dire circumstances in which some Roma families are living as they live in overcrowded housing with rats, damp and sewerage and often don't have enough food. Given the concerning levels of discrimination, poverty and marginalisation detailed in the *Needs Assessment*, the planned midterm review of the NTRIS, due to take place in 2019, provides an ideal opportunity for its recommendations to be incorporated into the wider Strategy.

### **Childhood obesity**

Food poverty is one of the driving forces behind higher rates of obesity and ill-health in disadvantaged communities. It is defined as the inability to have an adequate and nutritious diet due to issues of affordability and accessibility. In 2016, almost 10 per cent of the population experienced food poverty. Current rates of social welfare payments and earnings based on the minimum wage make it difficult to follow a healthy diet as nutrient dense foods such as lean meat, fruit and vegetables are more expensive than energy-dense, cheaper foods. We welcome the introduction of the hot meals pilot in schools but we call on the Government to implement the proposed needs assessment of vulnerable groups, including families, children, low-income groups and people living in deprived areas in the *Healthy Weight for Ireland Strategy*. This would help to inform resource allocation for preventative and treatment services.

## Guardian *ad Litem* Service (GAL)

'Guardian *ad Litem* Service' receives a 'C+' grade in Report Card 2019. The current process of reforming the GAL service is welcome, though long overdue. Reform of legislation in this area has the potential to make a real impact and advance the fulfilment of the constitutional right of the child to have his or her voice heard in child care proceedings. Statutory recognition of the role of the GAL in making applications for reports relating to the welfare of children under section 47 of the Child Care Act 1991 is an important inclusion in the General Scheme. However, as a witness and not a party, the GAL will not have the legal standing to make oral or written submissions in relation to the evidence or legal issues arising in the case at the conclusion of the hearing. Often such submissions can be critical in convincing a judge to make a particular order in the interests of the child. In order to give effect to the constitutional right of the child to be heard, the revised legislation should ensure the child's right to be heard along with their rights to fair procedures and redress by providing that every child is represented by an effective advocate in child care proceedings.

The Alliance welcomes the proposed establishment of a new Executive Office in the Department of Children and Youth Affairs to manage the GAL service which is intended to move to the Family Law Courts in the longer-term. This ensures that the service is financially independent of Tusla, the Child and Family Agency, a body that is party to child care cases. This move reflects a recommendation in Report Card 2017 and the stated positions of the Ombudsman for Children and the Comptroller and Auditor General. The establishment of an Executive Office also presents an opportunity to make the GAL service responsible for both private and public law proceedings; this would ensure that the right of children to have their voices heard in court is equally enforced in both child care and family law proceedings. We suggest that the Departments of Children and Youth Affairs and Justice and Equality explore extending the remit of the new Office to rectify the current disparity between provision for hearing the views of children in private law proceedings and public law proceedings.

Thank you again for the opportunity to present to the Committee and we are happy to answer any questions you might have in relation to the areas mentioned or indeed other sections of the report.