



## Oireachtas Committee on Public Petitions and the Ombudsmen

### Opening Statement by the Ombudsman for Children

Thursday 15<sup>th</sup> June, 2023

#### Background

I would like to thank the Chairperson and the Committee for inviting me here today to discuss the work of the Ombudsman for Children Office, or OCO, and in particular our 2021 and 2022 Annual Reports. I am joined here today by Dr. Carmel Corrigan, Head of Participation and Rights Education and Ms. Ciara Gill, Policy Officer.

The OCO was established in 2004 by the Ombudsman for Children Act 2002. I am the second Ombudsman for Children. I was appointed in 2015 and was reappointed for a second and final time in 2021.

The OCO is an independent statutory body with two main roles:

- To deal with complaints made by, or for, children about the actions of public organisations
- To promote the rights and welfare of children under 18 living in Ireland.

I will now outline some of the work my Office has completed in 2021 and 2022.

#### 2021 Annual Report – Resilience Tested

Our 2021 Annual Report was entitled Resilience Tested. This title was chosen to reflect the challenges faced by children, families and public services last year to ‘keep going’ in the face of restrictions and lockdowns.

In 2021 there were 2,126 complaints made to the OCO, which was a 79% increase from the previous year. 908 of these complaints related specifically to Covid-19 issues including - restrictions in schools, uncertainty surrounding the Leaving Certificate, facemasks and supports for children with disabilities. Education was again the subject of most complaints to the OCO, accounting for 53% of the total complaints. Bullying accounted for 10% of education related complaints.

Our 2021 Annual report also includes the stories of some of the children the OCO worked on behalf of last year including the story of James Jnr and Rosie whose family were finally moved to a permanent home after living in sub-standard emergency accommodation for three years, and whose parents say are now like ‘new children’. We also heard the story of 12 year Ella who has dyslexia, and who finally received a laptop for her schoolwork after much delay, and how her case led to training being provided so no other child is impacted by a similar issue.

In 2021, we published a significant investigation report, **No End In Site** which detailed the findings of an investigation of living conditions at a particular Traveller Halting Site in Cork. The local authority have since engaged with the families involved about their housing needs and have taken significant steps to improve the living conditions of the families on the site

During 2021, we participated in a project organised by the European Network of Ombudspersons for Children and UNICEF about the impact of Covid-19 on Children's Rights. We carried out a Child Rights Impact Assessment (CRIA) to determine the impact of school closures on children's rights which showed the negative impact these closures had on children, as well as the lack of consideration given to children and their rights in the decisions made that impacted on them.

We engaged with a number of legislative and policy developments throughout the year. These included proposals around admission of children to, and their treatment in, inpatient mental health facilities contained in the General Scheme of the Mental Health (Amendment) Bill 2021; the consideration given to children in the Birth (Information and Tracing) Bill 2021; the development of the new national family justice system; and the review of the Equality Acts.

As visits to the Office were not permitted during 2021, we delivered our children's rights workshops to 405 children remotely through Zoom. Six Transition Year students participated in online work experience with us during the year.

Our newly established Youth Advisory Panel, or YAP, met a total of nine times during 2021. All of these meetings were held on Zoom. The YAP engaged in a range of work over the year and their input was invaluable. They provided advice and input on the development of the OCO's Children's Report to the United Nations Committee on the Rights of the Child. They also identified priorities for the office's forthcoming Strategic Plan for 2022-2024. They identified the issue of period poverty as one that they wanted to highlight, and with our support, wrote to politicians, policy makers and schools to highlight this issue. Brid Smith (TD) raised a Parliamentary Question in response to this letter. Raising this issue also resulted in the OCO changing its environment by providing free period products in all office toilets.

During 2021, we decided to take a broader look at how Covid-19 had impacted children in the long-term and how we could use our influence to make positive change. We decided to focus on child poverty and child homelessness. **A Better Normal** - an initiative to eliminate child poverty and eradicate child homelessness came out of this process, and we sought a cross party, time limited Joint Oireachtas Committee to examine these issues further with children's rights as a primary concern. A Dáil debate on A Better Normal took place on 23rd September 2021. We continue to call for the elimination of child homelessness and the eradication of child poverty.

In September 2021, the OCO hosted a webinar to launch Digital Voices, research carried out by TU Dublin on behalf of the OCO about how digital and social media might be mobilised to advance the implementation of children's right to be heard in public decision-making. We welcomed a diverse range of stakeholders and speakers to this launch, including: Philip Jaffé from the UN Committee on the Rights of the Child; Regina Jensdottir, Head of the Council of Europe's Children's Rights Division and Council Coordinator for the Rights of the Child and Valeria Setti, European Commission Coordinator for the Rights of the Child.

The OCO made a submission to United Nations Human Rights Council for its consideration as part of its review into Ireland's human rights record as part of its universal periodic review. We also made a submission to the United Nations Committee on the Rights of the Child's Day of General Discussion which had a focus on "Children in Alternative Care" – a crucial topic for many thousands of children in Ireland.

## **2022 – Falling Behind**

Our 2022 Annual Report was published a month ago on the 16<sup>th</sup> May. We called this report "Falling Behind" as it is clear from our work that on many issues, Ireland is starting to fall behind on children's rights.

There were 1,812 complaints made to my Office in 2022 and education was once again the most complained about issue (30%), with bullying, expulsion or suspension, and special education resources featuring in many of the complaints.

Falling Behind also features the stories of some of the children the OCO worked with last year. This includes the story of Aisling, who told us that after making an allegation of bullying with a sexual dimension, the school made her feel responsible, and that she was bullied by other students for reporting the abuse. The OCO took action and the school eventually apologised to Aisling with the Board of Management updating their policies.

We again engaged with a number of legislative and policy developments throughout 2022. These included the Education (Admission to Schools) Bill 2020, the review of the Action Plan on Bullying, further developments around the General Scheme of the Mental Health (Amendment) Bill, the Health (Assisted Human Reproduction) Bill. In June 2022, we also published **Plan for Places**, a report that focuses on forward planning of the provision of school places for children with special educational needs

We decided to ensure that children's thoughts and experiences of pandemic were recorded so we launched our **No Filter** survey in February 2022 to hear directly from children and young people about life during this time. No Filter was an online survey featuring a wide range of questions based on common issues raised with the OCO and in the media. There were 1,389 children who responded to the survey, and it found that nearly half of the children surveyed felt their lives had changed significantly throughout the two year pandemic - 74% experienced feelings of loneliness, and 83% of the children surveyed felt the pandemic had some negative impact on their learning.

Falling Behind also details the OCO's direct engagement with children through our children's rights workshops. As public health restrictions had been lifted, we were delighted to welcome 1,100 children to the Office in 2022, as well as meeting children on outreach visits to schools, CAMHS in-patient units and Oberstown Detention Campus.

During 2022, we continued our engagement with the periodic monitoring and reporting process relating to Ireland's implementation of the UN Convention on the Rights of the Child. Our activities included:

- Working with the OCO Youth Advisory Panel (YAP) to produce **Pieces of Us**, a children’s report that consulted with over 5,000 children,
- Producing a comprehensive alternative report for the UN Committee on the Rights of the Child, which highlighted areas of concern and made recommendations about actions the State needs to take to advance the implementation of children’s rights, and
- Travelling to Geneva with the members of the YAP in September 2022 to take part in a pre-session meeting with the UN Committee and supporting them to take part in the Children’s Meeting with the Committee, in advance of the Committee’s constructive dialogue with the State in January 2023.

In October 2022, we held events in Sligo and Limerick for children with disabilities. **Beyond Limits** is our unique festival-style event for children and young people with disabilities and their families to enjoy an inclusive and accessible day of speakers, performances and activities. Over 1,000 people attended these events.

In December 2022, we published a report on a Review of the Ombudsman for Children Act we commissioned. This report looks at how the role and remit of my Office could be strengthened in a number of areas. We are working with DCEDIY to progress the recommendations made in this report.

In both 2021 and 2022, we hosted **Child Talks** which is an event we hold each year to mark World Children’s day. This event gives a platform to children to speak about issues that are important to them. The 2021 event was held in the RDS and seven young people took part. Topics included scoliosis, equality, climate change, treating children with respect, mental health, gender issues in farming, fast fashion and living in Direct Provision.

The 2022 event was held in the Library here in Leinster House and had a theme of “If I were Taoiseach for the day”. A wide range of topics were covered including homelessness, education reform, autism supports, accessibility, rural transport, female empowerment, the Irish Language and listening to children.

### **Conclusion / moving forward**

The OCO will celebrate its 20<sup>th</sup> Anniversary next year and it has grown from the original 2 staff members to a current total of 37. In that time the number and complexity of issues we are dealing with have increased too. Following the review of the Ombudsman for Children Act, we are now working with the Department of Children, Equality, Disability, Integration and Youth to progress the recommendations contained in the report which will extend our remit further. We have also agreed to take on a monitoring role in relation to the actions pertaining to children within the Third Domestic, Sexual and Gender Based National Strategy, and we hope that the resources will be place soon to make that a reality.

I would like to finish by saying that while the information given in this statement offers a broad overview of the work carried out by my Office, it does not include all aspects of the work we carry out. Thank you again for your invitation to meet you today. My colleagues, Carmel Corrigan and Ciara Gill, and I are happy to take questions.