



## **A Forum on a Bill of Rights for Northern Ireland**

The development of a Bill of Rights for Northern Ireland was a key element in the Good Friday Agreement.

Following the St Andrew's Agreement, the British Government conducted a very short (10 day) consultation on the establishment of a Bill of Rights Forum, which will seek to obtain consensus between the political parties and civic society on the contents of such a Bill of Rights.

Save the Children with our critical partners the Children's Law Centre responded to the consultation both on our own behalf and on behalf of the Children and Young People's Sector. We also met with all the political parties and gained their support to ensure that children and young people be adequately represented on the Forum.

As a result, government invited Save the Children and the Children's Law Centre to represent the sector on the Forum. Save the Children's Programme Director attended the inaugural meeting of the Forum on 18 December 2006 and made this introductory statement.

## **Bill of Rights Forum Inaugural meeting**

Monday 18th December 2006, Stormont

Opening Remarks from Save the Children and the Children's Law Centre

Save the Children and the Children's Law Centre, on behalf of the Children and Young People's Sector Bill of Rights Group, warmly welcome the establishment of the Bill of Rights Forum. We are pleased to see the commitment contained in the St. Andrew's Agreement to hold the inaugural meeting of the Forum in December 2006 being realized here today.

Since the Good Friday (Belfast) Agreement, we have witnessed significant developments in advancing to children's rights here, especially during the period of devolution, when the political parties worked together and united to progress such initiatives as the establishment of the Office of Commissioner for Children and Young People and the development of the Children's Strategy. Yet, despite these positive institutional and administrative developments, too many of our children – who make up a quarter of our population – suffer from neglect and abuse, poverty, discrimination, inequality and inadequate service provision.

Here is a reminder of a few stark examples:

- Over one third of those killed in the conflict were children and young people
- Over one in three children and young people are living in poverty and 32,000 of these experience severe poverty
- Over one fifth of children and young people suffer severe mental health problems yet only 5% of the relevant budget is allocated to services provided for them
- Traveller children are 10 times more likely to die in infancy than settled children
- 2,500 of our children are looked after and we have a higher rate of children on the child protection register compared with England.

Children lack an effective and comprehensive legislative framework for the protection of their rights. Whilst individual cases on behalf of individual children may be

successfully resolved, such approaches do not provide the guarantees and protections for all children in need of services and provision – particularly those who are most vulnerable. The reality of their lives are reflected in the facts I have just referred to.

We believe, therefore, that the Bill of Rights represents a unique, and the best, opportunity to guarantee children and young people's rights at a constitutional level in Northern Ireland. It must draw on the principles and provisions contained in international human rights instruments, in particular the UN Convention on the Rights of the Child. It must consolidate children's rights standards in one binding and enforceable document, thus providing all children and young people with the much needed legal protection to which they are entitled and which they currently lack. For children and young people in Northern Ireland the establishment of the Forum provides an historic chance for all of us who wish to ensure better lives for all our children to come together to discuss and agree on the best possible legal protections to achieve and underpin such a future.

We believe there is extremely broad and widespread support for this to happen. Our campaign to have the maximum children's rights protections included in the Bill of Rights, is supported by almost 200 groups and organisations, representative of many different communities, backgrounds and interests from right across Northern Ireland. The potential of the Bill of Rights to improve children and young people's lives was also highlighted by the Special Representative of the Secretary General of the United Nations on Children and Armed Conflict, Mr. Olara Otunnu, when after a second visit to Northern Ireland in 2000 he appealed to political leaders

***“ to address the basic concerns of children in Northern Ireland, particularly social and educational integration, youth unemployment, substance abuse and poverty, improved access to health facilities and housing, increased access to counselling, and improved administration of child protection and juvenile justice. Children's rights should be incorporated into the new Northern Ireland Bill of Rights”.***

Given the enormous import of the work of the Forum to the lives of all children and young people, and the interest there will be in its work, both among children and young people themselves as well as their families and those who work with them, the Forum needs to be as open, accessible and transparent as possible in how it conducts its business. Such an approach should also contribute towards building wider public support and a sense of ownership over the outcomes of the Forum's work.

Save the Children and the Children's Law Centre will continue to build this support. We will establish, through the Children and Young People's Sector Bill of Rights Group, mechanisms to ensure that children and young people and the sector's views are well represented in the Forum and that feedback is effective. However, we would urge the Forum to give serious consideration as to how it will engage more widely and directly with children and young people during its operation. By this, we do not mean going back to the drawing board and consulting with them on what the Bill of Rights should contain.

This has already been done and the findings of the Human Rights Commission's relevant consultation exercise should be carefully studied. What is required now is outreach and engagement work to ensure that children and young people are fully aware of the ongoing deliberations of the Forum and lend their support to its outcomes. Such an engagement strategy will not be resource neutral and the Forum should allocate sufficient resources to ensure it happens.

We recognise the not insignificant scale of the task which lies ahead for the Forum and, in this context, were pleased to see that the government has extended the timescale to a period of 12 months, a time frame which we believe is more realistic for the Forum to complete its work within. Participation in the Forum will require a significant commitment in terms of personnel, time and expertise from all those nominated to it.

This will present particular challenges for those community and voluntary representatives who work in a sector which is seriously under staffed and under funded. Any resourcing issues faced by community and voluntary sector representatives should be considered and addressed by government in order to facilitate and ensure effective participation by all members.

We look forward to the appointment of a Chairperson as early as possible in the New Year so the Forum can make decisions regarding its operating procedures and get down to business without delay. We agree with government's observation that chairing the Forum will be "***a challenging and stretching role, requiring someone with significant skills and experience***".

In our response to the government's consultation we recommended, and reiterate again today, for those very reasons, that the Chairperson be somebody international and fully independent, have considerable knowledge and expertise in relation to the international human rights standards and be somebody who commands the support and respect of all involved. We are also strongly of the view that the Chairperson should have excellent skills in and experience of Chairing diverse groups, negotiations and facilitation. Once appointed, the Chairperson should be responsible for establishing and selecting the secretariat which should be independent of government. Personnel selected should possess the required range of skills and expertise including draftspeople with expertise and experience in human rights. For the 435,000 people living in Northern Ireland who are under the age of 18, the test as to whether the Forum succeeds in its work will be whether the agreed proposals which emerge have the potential to provide meaningful rights protection for children and young people and bring about real change in the lives of those most vulnerable. The proposals must, in other words, enshrine the highest standards of children's rights in law and must contain adequate provisions for enforcing and implementing these rights. Anything less would represent a failure in our obligation to those who are children today as well as to future generations.