



# youth@clc



APR  
03

Recruitment and launch of the first run of the "Road to Rights" course, a children's rights peer education course accredited to OCN level 3 (equivalent to A level standard). As well as participants from youth@clc, other young people were recruited from a variety of organisations and geographical areas in Northern Ireland. The 16 young people recruited attended the launch in CLC which provided them with the opportunity to further familiarise themselves with the Road to Right course, other participants and CLC.

MAY  
03

'Hello to the new Youth Support and Development Worker'; Ciara Clarke took up the post of Youth Support and Development Worker. During her induction week Ciara spent a lot of time getting to know youth@clc with plenty of ice-breakers and fun meetings. Planning for the next 12 months work with youth@clc began.

MAY  
03

The first Road to Rights residential got off to a brilliant start, all of the participants hopped on to the bus to Derrygonnelly residential centre. There the group spent time getting to know each other and having fun, but the work had to be completed too, and so the learning began with 'An Introduction to Group Work'.



**JUN 03**

The second residential focused on 'Facilitating a Group'. By the end of the week-end all of the participants were getting excited about when they would go out and facilitate a group themselves. The residential was not all work, fun was had by all on the outdoor activities including the rope challenges!

**JULY 03**

Youth@clc applied to the Prince's Trust for funding to conduct research into the problems young people have and their views on solutions. Recognising that young people are experts in their own field, youth@clc planned a project to gather the views of young people across Northern Ireland, because the group believed that it was important that young people's voices were heard in the consultation process on the draft Children's Strategy.

# Shout out Soon

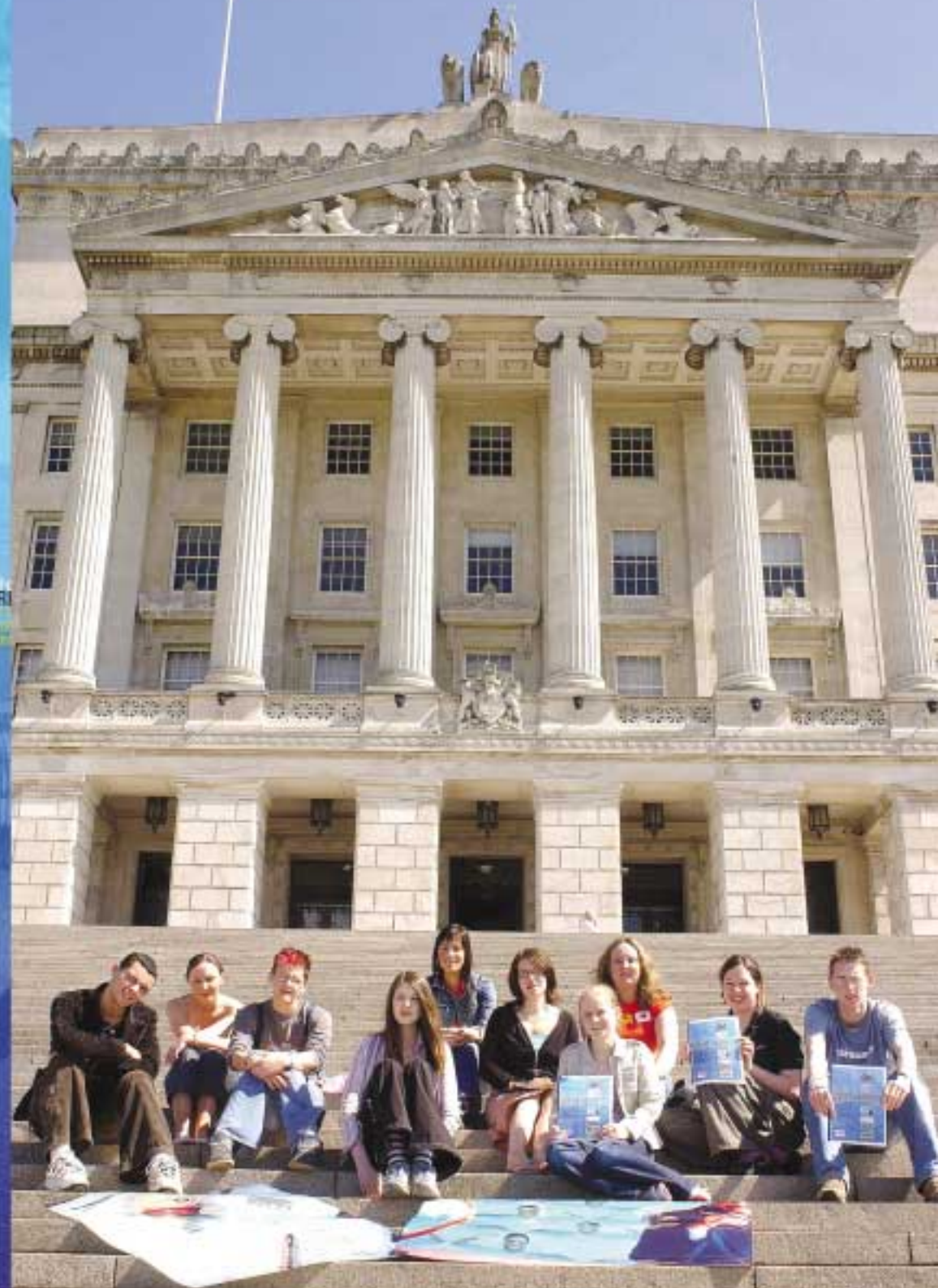
**JULY 03**

All of the participants travelled to Enniskillen for the third Road to Rights Residential. The week-end focused on 'An Introduction to Human Rights'. There were lots of group debates with the group adding to their information portfolios. The group worked very hard, so as a reward a boat trip around the Fermanagh lakes was organised. This allowed the group to relax and re-charge their batteries, as well as have great fun!



**AUG 03**

Road to Rights participants attended the Children's Law Centre for a one off session which allowed them to meet with all of youth@clc. The day was about information sharing and support for the participants on the Road to Rights course.



**SEPT  
03**

The group travelled to Carlingford. The week-end focused on 'Children's Rights and the United Nation Convention on the Rights of the Child'. This week-end allowed participants to focus on local and global children's rights. The group felt the learning would be useful to their personal lives as well as in their future work as peer-facilitators.

**SEPT  
03**

Youth@clc secured funding for the SOS project from the Prince's Trust. Youth@clc got to work quickly by conducting a pilot survey of 100 young people to identify what issues are relevant to them. Drawing on these the group created appropriate images to be used in a more comprehensive survey. The group recruited a professional photographer, purchased a digital camera and started taking photos. These images were used on the survey, which was a Freepost post-card survey with open ended questions.

**SEPT  
03**

Another Road to Rights Residential! This residential focused on 'Unwritten Rules in Society'. It also considered future facilitation sessions for the peer facilitators. All participants must plan and implement a training session with a group of young people, this session will be moderated and applicants would be assessed on the outcome. The external moderator for Open College Network met the group and asked them about their experience to date.



**OCT  
03**

Youth@clc print the SOS survey and decide that they need to have strategic distribution methods. Youth@clc decided to launch the survey in Belfast. To prepare for the presentations at this launch youth@clc recruited a professional actor. Youth@clc worked very hard on a successful outline for the launch of the survey.

**NOV  
03**

Final Road to Rights residential! This residential focused on 'Children's Rights in Northern Ireland' and examined the current legislative developments in relation to children's rights locally, ensuring that the peer educators would in future be able to research developments in relation to local and global children's rights issues. A celebration and fun evening was held on the final evening of the residential, but instead of farewells it was decided everyone would say, see you soon!

**NOV  
03**

Education Conference - 'Schools, Human Rights and the Law'. Youth@clc prepared a presentation highlighting the educational issues for school age mothers and fathers. Youth@clc members Roisin Bradley, Jody Hughes and Jenna Boyce attended and gave "role-play" presentations at the conference. Claire Bradley gave a formal presentation on policy regarding school age mothers and fathers in Northern Ireland. This presentation was jointly prepared by Claire Bradley and Jenna Boyce on behalf of youth@clc.

**NOV  
03**

Youth@clc and the Road to Rights peer-facilitators prepare to conduct training for the Young People's Advisory Forum of the Children and Young People's Unit in the Office of the First Minister and Deputy First Minister. Training on the UNCRC was commissioned by the YPAF and delivered by youth@clc peer facilitators. This was the first ever training conducted by the Road to Rights peer facilitators. Feedback from the YPAF was positive.





**DEC 03**

The final moderation of the Road to Rights course was conducted by OCN. All of the portfolios submitted were successful and achieved the Level 3 standard (equivalent to 'A' level). The work and commitment of all of the participants had paid off and now all that was left to do was celebrate.

**JAN 04**

The SOS survey was launched in January 2004. Over 275 agency representatives were invited from across Northern Ireland. Nigel Williams, Commissioner for Children and Young People in Northern Ireland opened the event. Youth@clc presented the images chosen for the survey and did short drama pieces reflecting each image. Youth@clc members highlighted the 10 year draft Children's Strategy for Northern Ireland and the importance of consulting children and young people. The surveys were distributed to those attending the launch with the request that they would take them back to their organisations for distribution to children and young people.

**JAN 04**

A student placement focusing on a recruitment and induction strategy and action plan for youth@clc commenced. The task was to work alongside youth@clc in planning and implementing a recruitment and induction strategy. The group met new and interesting groups of young people and along the way recruited young people to youth@clc.

**FEB 04**

Youth@clc were inundated with completed surveys. The challenge now was to analyse the responses and draft a report based on them. To help, youth@clc recruited the help of Dr Valerie Bunting researcher at Save the Children. With this additional support youth@clc members Claire Bradley and Jenna Boyce inputted the results into the SPSS data analysis system and began to see trends emerge.

**FEB 04**

Youth@clc began work on a community broadcast announcement by UTV advertising CHALKY...coming to a TV screen near you. The advertisement gives information on what issues CHALKY deal with. *"Nominations for BAFTA's for the advertisement are due to be published in the near future"*

**FEB 04**

The participants of the Road to Rights course attended a graduation ceremony and buffet to celebrate attaining their OCN Level 3 certificate of achievement. Carolyn Stuart, COOL FM DJ presented the certificates and extended congratulations to the group.

**FEB 04**

Youth@clc went on a residential to work on developing and updating the youth@clc website. A new look youth@clc web page will go live in autumn 2004.

**MAR 04**

Youth@clc work hard in recording and monitoring the 1045 responses received from the SOS survey. The Shout Out Soon report is in its first draft.

# Into the Future

- Youth@clc present Shout Out Soon report to OFMDFM, promotion and circulation of the report in a response to the 10 year draft Children's Strategy.
- Continued support for and advertising of peer-facilitators to promote and ensure quality children's rights peer-training
- Further recruitment and induction for the next run of the Road to Rights course.
- Continued recruitment and induction into youth@clc.
- Work with a web designer uploading youth@clc web page live onto Children's Law Centre web site.
- Youth@clc media training
- Youth@clc training on global children's rights perspectives
- Ongoing legislative and policy responses



## Introduction

- This leaflet sets out the law relating to admission to post primary education in Northern Ireland.
- 'Post primary education' means grammar schools and secondary schools.
- The rules are different depending on whether you are applying to a grammar or to a secondary school.
- The rules are also different depending on whether you are applying for admission at the start of Year 8 or some time later.

## Admission to post primary at the start of Year 8

### The Transfer procedure

- All pupils in Year 7 will be thinking about what school they will be going to in Year 8. Some pupils take the Transfer Test (11+). This happens in October/November of Year 7. These pupils may apply to grammar schools.
- Principals in primary schools will complete Transfer Report Forms for all Year 7 pupils in February of Year 7. This form will include a list of schools you would hope to go to in Year 8. Your parents/carers will complete this form with the primary school principal on your behalf.

### Admission to grammar schools at the start of Year 8

- Most grammar schools have more pupils applying than they are able to admit. This is because they are only allowed by the Department of Education to admit a certain number of pupils. The Board of Governors of each grammar school therefore has to decide which Year 7 pupils to offer places to.
- In order to do this, every grammar school must have an Admissions Policy. These policies are all set out in a booklet called 'Transfer from Primary to Secondary Education – A Guide for Parents'. Each Education and Library Board publishes this booklet every year and sends it to all parents/carers of Year 7 pupils in their area before the Transfer Report Form must be completed.
- The first thing that the Board of Governors of a grammar school will consider, under their Admissions Policy, is how each pupil has performed in the Transfer Test (11+). All grammar schools start by admitting pupils with a grade A, followed by a B1, B2, C1, C2 and a grade D, in order of preference.
- When there are more pupils with the same grade than there are places available, it is only then that a grammar school will apply additional criteria **in the order that they are listed**

*in the school Admissions Policy.* If you satisfy the additional criteria you are more likely to be awarded a place at the grammar school. For example: if you have attended a certain primary school; if you have a brother or sister at the school; if your parents teach at the school or you have other family connections with the school.

- A small number of grammar schools in Northern Ireland retain fee-paying boarding placements. Relevant criteria for admission to these placements are outlined in the Education and Library Board's guidance booklet for parents.

### Children who do not have to sit the Transfer Test

- (1) Pupils who have a statement of special educational needs;
- (2) Children whose parents wish them to transfer to grammar schools from schools outside Northern Ireland;
- (3) Children who have had more than half of their primary education outside Northern Ireland.

In all of these cases, an assessment will be carried out by the Education and Library Board. It is this assessment that will be taken into account by the Board of Governors of any school which you apply to.

### Supplementary Test

- A primary school principal may offer your parents/carers the option for you to sit a supplementary test in the following circumstances:
  - o If you miss one or both test papers
  - o If you feel that your performance in either or both papers was affected by illness, a disturbance during the test or any other reason.If your parents opt for you to sit the supplementary test, your original test will not count and a grade will be awarded for the supplementary test. It will be this grade which will be taken into account by any grammar school that you apply to.

### Special Circumstances

- After you have received your 11+ test results, if your parents/carers feel that your grade in the 11+ has been affected by an illness that you were suffering, a family bereavement or any other reason, then they may ask the Board of Governors of the grammar school to consider these 'special circumstances'.
- Your parents/carers must provide full details of these special circumstances at the time of completion of the Transfer Report Form.
- It is important that your parents provide as much proof as possible to show that



you should have received a higher grade. This may include medical reports, teacher's comments and test results from throughout Years 6 & 7 in 11+ practice tests. (Results from your Key Stage 2 tests cannot be considered under special circumstances). This information will be forwarded, together with the Transfer Report Form to the Board of Governors of any grammar school to which you apply. If they agree that your performance was affected and that you should have got a higher grade, they can award a higher grade and consider your admission application on the basis of this new grade.

- Some grammar schools require specific information with the Transfer Report Form. These schools are listed in the Education and Library Board's guidance booklet for parents.

## Admission to secondary schools at the start of Year 8 (i.e. in September)

- Secondary schools are not allowed to refer to ability or aptitude in their admissions criteria. This means that they do not take account of 11+ results when admitting pupils to Year 8.
- Some schools in Northern Ireland have both grammar and secondary school streams in Year 8. Grammar stream places are allocated in the same way as

grammar school places (see above).

- A secondary school must admit all pupils who apply if they have places available. Some secondary schools will have more pupils applying than there are places available. In these circumstances, secondary schools will select pupils on the basis of the criteria published in their Admissions Policy. For example: if you have attended a certain primary school; if you live near the school, if you have a brother or sister at the school; if your parents teach at the school or you have other family connections with the school.

## Admission at any time after the start of Year 8

### Secondary Schools

- All pupils applying to a school during the course of Year 8 (i.e. after September) must be offered a place if there is a place available.
- A pupil applying to a school after Year 8 must also be offered a place if there is a place available, unless the admission of the pupil 'would prejudice the efficient use of resources' by the school. An example of this may be where there are places available at the school, however there are no places available in the year group applied to.

### Grammar Schools

- During Year 8 (i.e. after September) and after Year 8, a grammar school must admit a pupil if there are places available unless **'the academic ability of the child is not of a standard equivalent to that of the pupils with whom he or she would be taught at the school'**.
- After Year 8, a grammar school may also refuse to admit a pupil on the grounds that the admission of the pupil **'would prejudice the efficient use of resources'** by the school.

### Appeals

- **An appeal against a decision refusing to admit a child to Year 8 can be made to the Admissions Appeal Tribunal.**
- The Tribunal can only consider appeals where it is argued that the Board of Governors failed to apply their admissions criteria properly.
- In or around May, you will receive a letter confirming which school you have been accepted by. Your parents/carers are entitled to appeal this decision and must send a letter to the Education and Library Board within **10 days** of receipt of this letter notifying the Board that they wish to appeal. This letter should be sent by recorded delivery.
- The Education and Library Board will send out appeal forms for completion

by your parents/carers. The forms should be completed giving reasons for appeal. The school are then given an opportunity to reply. An appeal date is set for the Admissions Appeal Tribunal and your parents/carers will be informed by the board of the date of hearing.

- **The Tribunal may only consider the way in which the Board of Governors applied their admissions criteria.** It will not be able to consider whether the criteria are unlawful or unreasonable.<sup>1</sup>
- If your appeal is successful, the Tribunal will direct the school to which you applied to admit you as a pupil. The school must follow the Tribunal's direction.
- If your appeal is unsuccessful, it may be possible to apply for a judicial review of the Tribunal's decision to the High Court. You should seek immediate legal advice in relation to a judicial review as strict time limits apply.

**If you are having problems with your admission to a post primary school and you would like more advice contact the Children's Law Centre.**

<sup>1</sup> In order to argue that a school's criteria are unfair, you would have to seek a judicial review in the High Court. If the criteria are found to be unfair this would not guarantee a direction from the Court for admission to the school. The case may have to be redirected to the Tribunal for further consideration.

# Director's Report



**W**e are living the curse of the answered prayer in that an increased awareness of children's rights and the work of the Children's Law Centre has ensured staff have been working at maximum capacity this year to meet the demands for our services and to promote and defend challenges to children's rights. This has only been possible with the support of the small but amazing Admin. team who provide a highly professional service that belies their numbers. It has been "the best of years and the worst of years". Years of work bore fruit in October with the establishment of the Office of the Commissioner for Children and Young People in Northern Ireland (NICCY). Although not fully compliant with international standards the founding legislation is, we believe, among the strongest in the world. One of NICCY's first acts was to commission an audit of children's rights. This will provide a much needed update to CLC and SCF's "Getting it Right" audit. The Children's Law Centre looks forward to a long and mutually beneficial partnership working with NICCY to promote the rights and best interests of children.

*"You have the right to an opinion and for it to be listened to and taken seriously"*

*Article 12 U.N. Convention on the Rights of the Child*

Youth@clc have excelled again this year. They have displayed the professionalism and innovation in conceiving, designing and executing the SOS project, which we have consistently experienced in their work. The SOS project also challenges all those who question the value of consulting and listening to children and young people. On a very small budget and a tight timescale youth@clc researched the views of 1045 children from across Northern Ireland, analysed the results and presented a report which challenges us all for failing children and young people. It also shows that it is possible to genuinely consult with children and young people.... if the will exists.

The insights the 1045 children and young people provide into our social and communities problems are sharp and brutally honest. When a 13 year old states *"the council should put down more speed ramps to stop joy riders"* and a 14 year old rejects further education because *"it is too dear"* we all need to revisit what is happening in our communities and society and how resources are being spent. The constructive approach of the children and young people to solutions challenges complacency. The logic of the 14 year old who suggested *"Drink and cigarettes should not be sold to anyone without an ID and if this happens there should be strict punishments"* is so obvious it begs the question why is this not

happening? And the comments of 9 year old to *"get the parents of the people who tease me, their parents should have told them that, whether black or white, it is ok we are all the same"* cuts to one of the root causes of racial bullying in school and consequently the strategy needed to address it.

This report will be an important reference not just for those who will finalise the 10 year children's strategy for Northern Ireland but for all working with and for children. Youth@clc deserve all our thanks for again ensuring the voices of children and young people are heard in key decisions which will affect them. SOS should be compulsory reading for all who make decisions about children and young people's lives. It is a privilege to be associated with it. Thank you youth@clc for making it happen and thanks to all the children and young people who took the time to be part of it.

With a staggering 1620 issues raised during the year, a 33% increase in calls to CHALKY, Diane Hammond our new advice worker was a very welcome addition to the staff team. The quantity and variety of advice and case work the Centre is now dealing with is a sad indictment on the state of children's rights. With success in employment, expulsion and special education needs tribunals and admissions appeals alongside the negotiated resolutions of hundreds of issues, CHALKY and the advice and representation services is strategically guaranteeing the rights of not just the individual children on whose behalf we act but is also guaranteeing the rights of all children who find themselves in similar situations. Congratulations to the legal team on successfully acting in the judicial review of a suspension of a child from primary school. In re M (A Minor) we successfully argued in the High Court on behalf of the child on the grounds of procedural unfairness. In consultation with youth@clc the legal team have continued to produce accessible information leaflets with two new additions this year to the "Do you Know Your Rights?" series on police powers and school admissions. Congratulations to Kathryn who managed to drag herself away from all the case work to get married in September 2003! And to George on the birth of Madeline in April 2003.

CLC made a considerable contribution to the forthcoming draft children's strategy with staff sitting on the task groups and youth@clc providing training to OFMDFMs' Young Person's Advisory Group. Most notably the development of the draft strategy, which is to be government's mechanism for implementation of the UNCRC, was underpinned by training for all members of the task groups on the UNCRC and children's rights planning delivered by Sara Boyce and Paula Keenan. It is

to be hoped that the forthcoming draft strategy will fully reflect the UNCRC and provide an effective mechanism to ensure compliance with the Convention.

2003 saw new development and new arrivals in Education and Training. Congratulations to Sandra on the birth of Christopher on 11 August 2003. We also witnessed the "arrival" of 14 accredited (to NVQ Level 3) children's rights peer educators. This was the culmination of several years' hard work, piloting the course, evaluating, reworking and submitting to the Open College Network for accreditation. With peer children's rights training now being delivered and a rerun of the course timetabled a weapon of mass instruction is spreading throughout Northern Ireland!

Undoubtedly the single biggest threat to children's rights over the last year was the proposal to import anti social behaviour orders from Britain. These Orders can be sought against anyone over the age of 10. The proposals were a direct "read across" from the English legislation without consideration of the fact that we are a society emerging from conflict. CLC believe that ASBOs breach Articles 2, 6(1), 8, Art, 2 protocol 1, and Article 14 of the European Convention on Human Rights and Articles 2, 3, 6(1), 12, 16, 19, 28, 40(1), 40(2) and 40(3) of the UNCRC and Articles 8.1 and 8.2 of the Beijing Rules. Also of major concern is the failure in their introduction to comply with the equality and human rights provisions of the NI Act 1998 or to take cognisance of the "particular circumstances" of Northern Ireland i.e. a failure to take account of our peace settlement.

CLC, SCF, Barnardos, NSPCC, CAJ, Include Youth, Children in Northern Ireland, Parents Advice Centre, Derry Children's Commission and NIACRO lodged a formal complaint with the NIO and the Equality Commission on 6 May 2004 in respect of the NIO's failure to fulfil their s75 duties. Despite this the NIO issued on 10 May draft legislation with, as forecast by John Spellar on 10 March, a significantly reduced consultation period of only 4 weeks.

The proposed introduction of ASBOs was opposed by all the leading children and human rights organisations who viewed them as a serious threat to children's rights and believed they undermined other positive children's rights developments here. Given these recent positive developments in respect of children's rights one can't help but wonder would their introduction be imminent if we still had devolution? The challenge now is to monitor their application and to advocate to ensure they are not used in breach of the UNCRC or in such a way as threatens children's health, well being or indeed their lives.

# Chairperson's Report



CLC in partnership with others will continue to do all it can to meet that challenge.

Despite the quality and quantity of work undertaken by CLC, widely recognised and commended, funding is an increasingly serious concern. Attempts to mainstream funding have not as yet proved successful with the Review of Resourcing the Voluntary and Community Sector continuing to delay applications for much needed increased funding from government. Given CLC's role in delivering services, which clearly fall within government's obligations, a failure to properly resource the Centre or any delay in so doing which results in a loss of services and expertise would prove in the long term more costly to government. Yet again we urge government to respond with urgency to their own evaluation of CLC by increasing core funding for the Centre.

And the challenges for next year? It is not an indictment on CLC but rather on government that again we cite as two of the main challenges repealing the defence of reasonable chastisement in respect of children and the ending of discrimination in education through selection at 11. We need also to redouble our efforts to realise the full protection the equality provisions of the NI Act 1998 might afford to children post the ASBO "consultation" and to reinstate protection for children in the Bill of Rights discourse following its dilution in the most recent Human Rights Commission report. To that list we add with some trepidation the challenge of how we can best protect their rights when ASBOs begin to be imposed on children and how children's rights can be guaranteed in the forthcoming Single Equality legislation. And the overarching challenge is how we can ensure children and young peoples voices are heard when decisions are being taken, which impact on their lives.

As always youth@clc provide direction and a vision of how it should be. We would all be well advised to pay attention. Commenting on the SOS report Jenna Boyce from youth@clc said *"Some of the responses were sad and many very insightful. One of the strongest messages coming out of this research is that if you seriously ask children and young people what the problems and possible answers are and you genuinely listen to what they say you will probably find the solutions. It is logical when you think of it. They are the experts. They know what it is like to be a young person living in Northern Ireland today. They know what the issues and problems are. So why not ask them and take what they say seriously? Government might save a lot of time and money if they did."*

Compiling the annual report provides an opportunity, for all involved in the Children's Law Centre, to pause and take stock of the achievements during the past year. For my part, such reflection inevitably brings a sense of something approaching wonder - at the volume and quality of work produced, at the unflinching determination and commitment of our Director and staff team and at the concrete gains made for the children and young people who are at the centre of our efforts.

The gains that have been made are, of course, attributable to the combined effort of a host of agencies and individuals, all of whom are to be commended. I am always mindful of the critical role played by our funders, some of whom have signalled the most concrete of endorsements of our work through providing renewed funding.

A great deal of our work is undertaken in partnership with other agencies. It is gratifying to note the increasing number of agencies contributing to the work of making a reality of children's rights here. In that vein I'm particularly pleased to welcome Nigel Williams and his staff at the Northern Ireland Commission for Children and Young People (NICCY) to the sector. The creation of this office is something for which we have actively campaigned. We look forward to hosting a major conference with NICCY, the Bar Council and the Law Society in the autumn.

Key among our partnerships is that with youth@clc. They have continued to impress this year with the production of the comprehensive report "Shout Out Soon", which details issues for young people here and generates a range of solutions. A number of group members are to be congratulated on successfully completing the "A" level equivalent, "Road to Rights" course.

The management committee make an on-going contribution to the work of the Children's Law Centre. This year we have focussed particularly on the development of a comprehensive child protection policy and the creation of a strategic plan to set organisational direction until 2006.

I am confident that under the assured leadership of Paddy and with the continuing high quality work produced by each member of our staff team, we can look forward to further gains for children in the year ahead. It is important to note, however, that both the nature and scale of those advances will inevitably depend upon the availability of funding, especially from Government Departments and particularly in relation to the core of our work. Equally critical in determining progress will be the level of political will evidenced by Government through not only budgetary allocations to spending on children but also the development of rights based policies. The forthcoming 10 year Strategy for Children and Young People should give an early indication of the extent to which Government has "bought into" the children's rights agenda and is willing to commit to effectively addressing children's issues. Current debates around, for example, the introduction of Anti-Social Behaviour Orders do not give much cause for optimism in this respect.

What I can say with conviction is that all of us involved in the Children's Law Centre will renew our efforts, to put children's rights at the heart of the policy making and legislative processes.

**Paula Keenan**  
Chairperson

## administration administration administration administration

The Children's Law Centre is supported by a small but very efficient administration team. Administrative support is vital in all areas of CLC's work to enable staff to meet the ever growing demand for our services. The growth of the organisation and the delivery of services have only been possible by virtue of the professionalism of the administrative team who have over the last year provided an excellent service in respect of financial administration, supporting our members, responding to information needs, the smooth running of the office and administrating the specific function of CLC.



# Legal and Advice Work



## A Legal Service for Children & Young People

This year in response to advice calls we had to recruit an additional advice worker. Diane Hammond joined CLC in August 2003. The additional staff member has enabled us to spend more time analysing the nature of the advice calls we are receiving and providing policy commentary on the basis of this information.

## Legal Information

This year volunteers and students have carried out research in the fields of restraint and isolation of children, the Hague Convention, child protection and confidentiality, sexual offences, judicial review cases involving children and employment of children and young people. We owe a big thank you to all our volunteers and students. This work is invaluable and helps us to make detailed responses to legislation and policy and to formulate new policies which promote children's rights.

We have reprinted most of our leaflets for children and young people as these have proved to be very popular. We drafted two new leaflets for children and young people in relation to policing and school admissions and we are in the process of updating our youth justice leaflet to take account of all the new legal reforms to youth justice introduced by the Justice (NI) Act 2002. There are now 9 leaflets in the "Do You Know Your Rights?" series. All of the above leaflets are available free of charge to children and young people and can be accessed on our website.

This year our information pack went on line on our website. We are currently working on a new section for the information pack which will consider the case law in respect of judicial review applications made on behalf of children and young people and we will also shortly be publishing a new section on the website about the rights of gay, lesbian and bisexual young people. In addition we have been working on a textbook which will be entitled "A Children's Rights Handbook for Northern Ireland". It is hoped that a draft of this text will be completed during the forthcoming year for publication.



## The Website

Our website was redesigned, updated and relaunched in September 2003. All material produced by CLC, including leaflets and publications, is now on our website. There are clearly marked sections for children and young people and for adults/advisers. There is a members section accessible by pin code containing the information pack and all submissions made by the centre. We are currently finalising the youth@clc section of the site, which we will launch in autumn 2004. We have been delighted with the hits received by the site. We "hit" 1 million in May 2004!



## Submissions

We have made submissions during the year in respect of

- DHSSPS Strategy for Children in Need ( Oct 2003)
- Tackling Domestic Violence ( Dec 2003)
- Proposals for a Revised Core Syllabus in RE in Grant Aided Schools in NI ( Dec 2003)
- Special Education Needs and Disability ( NI) Order 2004 – Proposal for Draft Order in Council ( March 2004)
- Suspension & Expulsion Procedures; Proposals for Change Consultation document ( March 2004)
- "Measures to Tackle Anti Social Behaviour in Northern Ireland" – March 2004

- "Guidance on Restraint and Seclusion in Health & Personal Social Services" – July 2004
- Draft Leaving and Aftercare Regulations – July 2004
- Mental Health Review – Dr A. O'Rawe and Tara Caul – Detention of a Child in the Context of Mental Health Legislative Requirements, Advocacy and Principles for Children and Young People with Mental Health Needs.
- OFMDFM Draft Strategy for Children & Young People

## Working Together

As ever we remain committed to working in partnership to promote and realise children's rights. CLC has been represented on the following groups and associations:

- **Children Order Advisory Committee** – Tara represents Children in NI on this committee and has been involved in the work of the sub committees on separate representation, domestic violence, secure accommodation and written reasons this year. She assisted in drafting COAC's response to the initial consultation on the OFMDFM Draft Children's Strategy.
- **Association of Family Solicitors for Children**-Tara represents CLC on the steering group of this committee
- **Youth Justice Lobby Group** – We continued to lobby in a difficult climate for children's rights in the youth justice sector. We focused this year on opposing the introduction of anti social behaviour orders in Northern Ireland.
- **Children Are Unbeatable**- Tara sits on this alliance which is lobbying for a change in the law to give children and young people the same protection from assault as adults and to promote positive ways of parenting. We have assisted by providing legal opinion in respect of the requirements for legislative change. We are currently monitoring developments in England and Wales while continuing to promote compliance with the UNCRC in this jurisdiction.
- **Review of Restraint & Isolation** – Tara represents the centre on this group established by the DHSS PS, which has issued a consultation paper on "Guidance on Restraint and Seclusion in HPSS". CLC have lodged a detailed submission on this guidance recommending separate guidance for children and young people.
- **Mental Health Review – Sub Group on Human Rights and Equality**- CLC is represented on this sub group by Tara and by Dr Angela O'Rawe, who researched and wrote a detailed submission on behalf of the Centre to the Review. They have made written submissions to the sub group on advocacy and principles for children and young people and also

contributed to the work of a Legal Issues Sub Group set up to develop a set of principles and purposes for children and young people with mental health needs which would underpin any new legislation.

- **NIACAB** – Liam continues to act as external moderator of NIACAB's Adviser Training Programme
- **Human Rights Education Forum** – Kathryn represents CLC on this forum which meets quarterly to discuss and review human rights.
- **Human Rights Practitioner Group** – Kathryn represents CLC on this forum established by the Human Rights Commission.
- **Equality Commission for NI – SENDA consortium** – Kathryn represents CLC on this group established by the Equality Commission to co-ordinate a response to the SENDA consultation document and the Draft SENDO legislation.
- **Joint Consultative Forum for Education Sector** – Kathryn sits on this Forum. Which aims to provide a link between public authorities in education, voluntary and community organisations, trade unions and the statutory equality authorities, including NIHRC, the Equality Commission and the CRC.
- **Commissioner for Children & Young People** – We meet regularly with NICCYY and are developing a working protocol in respect of casework.
- **PSNI Child Protection Advisory Group** – Tara represents the centre on this group, which is developing a child protection policy for PSNI.
- **Law Society Family Law Committee - sub group on child protection and confidentiality** – Tara represents CLC on this group which has finalised a draft child protection and confidentiality policy for consideration by the legal profession representing those under 18
- **NGO Forum**- Paddy represents CLC on the Forum

## Training Provided

This year has seen an ever increasing demand for training. The legal team delivered the following training. Each session was delivered on one or more occasion:

- Children's Law, Law for Legal Assistants Course, QUB
- Education Law, LLB and Masters in Education, QUB.
- Bullying and the Law
- Assessing Legal Competency in Children
- Physical Punishment
- "Children's Rights", delivered to schools, youth groups, residential homes, voluntary organisations
- An Introduction to the Law Relating to Children in NI
- Employment Rights for Young People
- Being Comfortable with the Convention – Specialist

Accommodation Forum – Paper on Children's Rights in Custody/Secure Care.

- Mental Health Commission Conference on Child and Adolescent Mental Health chaired by Tara Caul, presentation on behalf of CLC by Dr Angela O'Rawe.
- Human Rights and Children – Health Boards (Repeated sessions)- Tara Caul
- Children's Rights presentation delivered to Youth Conference Services – Paddy Kelly and Tara Caul
- AGM – Mental Health Commission – Tara Caul chaired a seminar on Children and Young People and Mental Health

## The Human Rights and Education Project

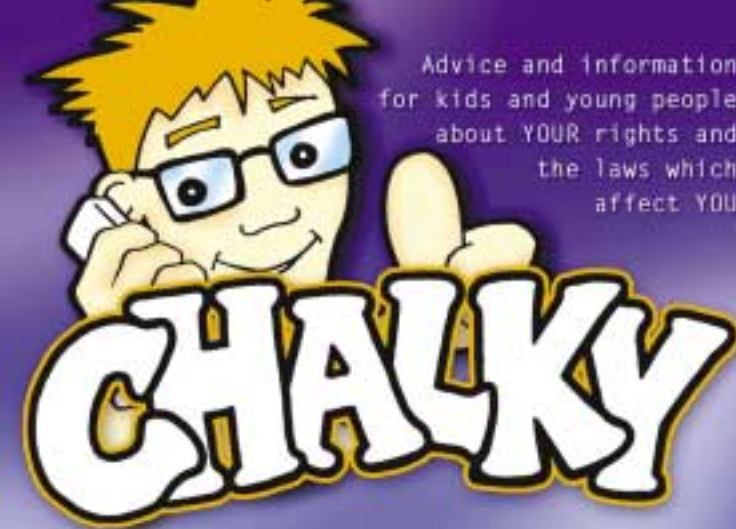
### 'Human Rights Awareness for School Managers' Training Programme

A training programme accompanying the manual 'Human Rights Awareness for School Managers' was rolled out between April – June 2003. Kathryn Stevenson and George Palmer co-presented eleven seminars to school managers in the BELB, NEELB and WELB areas. Three additional Training sessions were provided to Education Welfare officers, Principles and staff working in the area of SEN.

## Conference

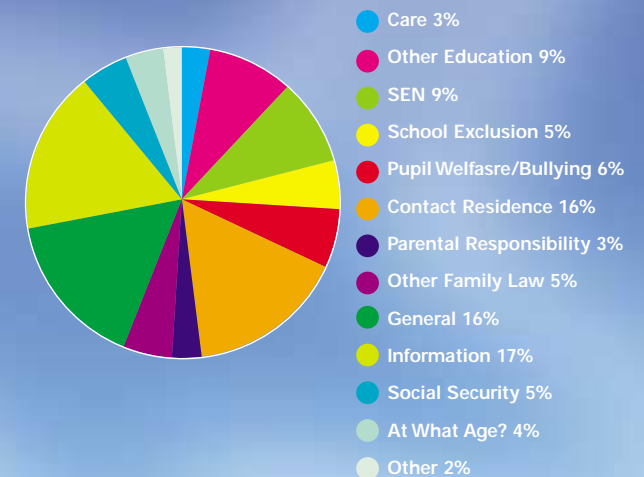
In November 2003 Kathryn Stevenson, assisted by Tara Caul, organised a major Department of Education funded conference attended by 130 School Managers entitled 'Schools, Human Rights and the Law'. Speakers were Carolyn Hamilton, Director of the Children's Legal Centre in England, Laura Lundy, Reader in Education Law, QUB, Kathryn Stevenson, George Palmer and youth@clc. The conference was opened by Terry Smyth, Head of the Human Rights, Equality and Youth Services Unit in the Department and Chaired by George Campbell, Senior Education Officer, BELB.

In their presentation youth@clc highlighted the educational issues concerning school age mothers and fathers. Youth@clc members Roisin Bradley, Jody Hughes and Jenna Boyce attended and made role-play presentations at the conference. Claire Bradley gave a formal presentation on policy regarding school age mothers and fathers, jointly prepared by Claire and Jenna Boyce.



CHALKY continues to provide advice and information to increasing numbers of children, young people their parents and professionals working with children. The service dealt with 1620 issues during the year an increase of 33% on the previous year. The issues raised spanned the range of legal areas impacting on children. Family Law issues accounted for 23.6% of issues with queries about the law on contact with children and where children should live accounting for over 66% of these. Education issues accounted for 29% of all issues raised with Special Educational Needs accounting for almost one in three of education calls. School Exclusions, Pupil Welfare, Bullying and Admissions were also frequently raised as issues. Just over 17% of callers were requesting information materials about children's rights or the centre. Other notable areas causing concern were Social Security (4.9%), Children in Care (3.2%) and Children in Employment (2.62%).

### CHALKY Issues: April 2003 - March 2004



46% of callers were either children and young people (7%) or adults phoning about a particular child or young person (39%). 23% of these calls related to children aged 10 and under, 18% to children aged 11-13, 31% to children aged 14-15 and 27% to young people aged 16 and 17.

Some 55% of callers provided addresses of which 52% were from the Eastern Health and Social Services Board area including Greater Belfast, 20% of calls came from the Northern Board, 15% from the Southern Board and 13% from the Western Board area.

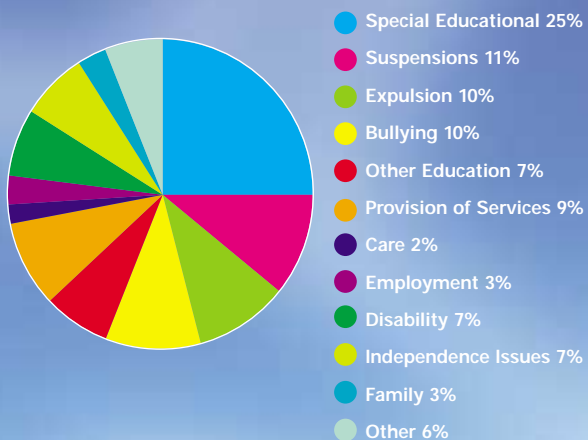
## Casework

We continue to operate a casework policy in accordance with our waiver agreement with the Law Society of Northern Ireland. We represent in a limited number of test cases. We operate an effective referral service to accredited solicitors on the Children Order Panel and we maintain a panel of solicitors who are willing to deal with education cases. We provide information updates to the Education Panel of solicitors on a regular basis. We meet regularly with the Office of the Commissioner for Children and Young People and have established effective working arrangements between the two organisations.

The chart below indicates the types of cases during the period. 89 cases were opened requiring a range of interventions from negotiation to High Court proceedings.

We continue to work on our test cases in the field of educational negligence and non-detection of special needs. On the basis of Counsel's opinion and reports obtained we have received legal

### Cases Retained: April 2003 - March 2004



aid to issue High Court proceedings for damages in one of these cases which will be a test case in this area in Northern Ireland.

We initiated judicial review proceedings, reported in the Bulletin of Northern Ireland Law, in respect of the suspension of a child from primary school. In *Re M (A Minor) 2004 NIJB 6* we successfully argued procedural unfairness and illegality. The respondent's appeal to the Court of Appeal is due to be heard in September 2004.

The advice service provided representation at a number of Admissions appeals during the summer of 2003, with a number of notable successes. One unsuccessful case was referred out to a Solicitor from our panel for possible Judicial Review. The Education and Library Board subsequently conceded the case had been wrongly decided.

We have also dealt with a number of expulsion appeals tribunals and successfully challenged procedural irregularities in two expulsion cases, resulting in the young people concerned being reinstated in school. One young man who was unlawfully excluded from School for a number of months before being expelled was represented successfully at an Expulsions Appeals Tribunal. There has also been a challenge to the Board in relation to their duty under Article 42 of the Education (Northern Ireland) Order 1996, to direct admission of a child to a school. Arrangements for home tuition by way of 'exceptional provision' from the Board, for children who have been unable to attend school due to bullying and illness, have also been negotiated.

We have assisted parents in a number of appeals to the Special Educational Needs Tribunal and have also initiated several complaints to ELBs and HSS Trusts in relation to lack of service provision for children, including, the provision of speech and

language therapy, occupational therapy and provision for children with Autism and Asperger's Syndrome. There have been successful negotiations in respect of funding of placements for two young people with disabilities in England, speech and language therapy provision on behalf of a child with Downs Syndrome, for a classroom assistance for a child with Emotional and Behavioural Difficulties and a placement was secured at a special school for children with Moderate Learning Difficulties.

Particular areas that we have challenged this year through our casework include the current provision of speech and language therapy and occupational therapy services in Northern Ireland for children and young people, after school provision for young people with moderate learning disabilities, provision of educational and social services for children with Autistic Spectrum Disorder and Asperger's Syndrome, financial support and accommodation for 16/17 year olds, a challenge relating to the religious and philosophical convictions of parents, respite care for children, transport for children with disabilities, education of children with special educational needs in mainstream schools, suspension / exclusion procedures, home tuition, youth homelessness and mental health provision for children and young people. We have identified the areas of special educational needs, human rights and the provision of services to children and young people and their families as key areas which we would like to focus on throughout next year and we would encourage our members to refer cases to us where these types of issues arise. A number of employment cases were also lodged with the Office of the Industrial Tribunal during the year in respect of Unfair Dismissal of children and young people.

In addition we also coordinated and drafted our first formal complaint to the Equality Commission under Schedule 9 of the Northern Ireland Act 1998 on behalf of 10 non-governmental organisations in respect of the consultation procedure leading to the introduction of anti social behaviour orders in Northern Ireland. This complaint is currently being investigated by the Equality Commission.



**FREEPHONE CHALKY**

**0808 808 5678**

# Children's Human Rights Advisor



## UN Convention on the Rights of the Child

Much of our work on the Convention this year has been in the context of the developing Children's Strategy, which we hope will become the implementation plan for the Convention standards and for the Committee on the Rights of the Child's concluding observations. The Children's Law Centre and Save the Children delivered a series of one day training programmes in November 2003 on the Convention and on Children's Rights Programming to members of the Task Groups set up to develop the Strategy. CLC staff members also participated in a number of the Task Groups, where they contributed a strong children's rights perspective, including on the Implementation and Monitoring Task Group which discussed elements of the Strategy, which will be crucial to its success in delivering real change for children and young people in Northern Ireland. We have begun to develop work on tools for the implementation and monitoring of children's rights standards, such as child impact assessment and the development of child rights indicators.

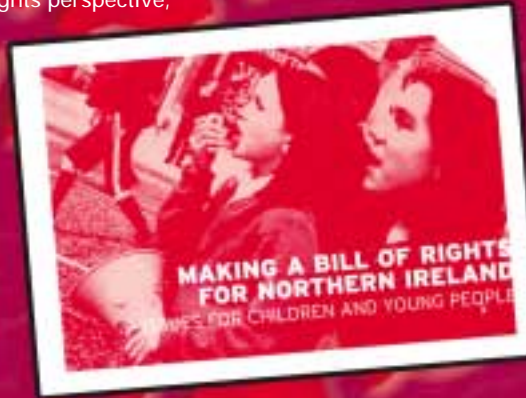
We have continued our dialogue with various individual government departments, agencies and non-departmental public bodies on their responsibilities to implement the UN Committee's concluding observations, including with the Department of Finance and Personnel, the DHSSPS, the Department of Education and the NIO. While the due date of July 2007 for the next UK government report to the UN Committee may seem a long way off, without ongoing implementation of the UN Committee's 2002 concluding observations, coupled with data collection for the 2007 report, time is already short.

We have also had a valuable engagement with Children's Service Planners in the various Health Board areas on how children's rights standards and children's rights planning approaches can be better integrated into their strategic planning for children and young people. Training on the Convention and Children's Rights Programming continued throughout the year with additional training being provided to the Black and Minority Ethnic Working Group in the Southern Area Board.

## Bill of Rights

The Bill of Rights for Northern Ireland provides a unique opportunity to establish the most comprehensive children's rights protections ever in this jurisdiction in a single, binding and enforceable document and for this reason the Children's Law Centre has continued to prioritise work in this area. Over the past year the Children and Young People's Sector Bill of Rights Group, convened by the CLC and SCF, has been extremely busy advocating for the inclusion of

the maximum protection for children and young people in the Bill of Rights. Its position is supported by over 180 diverse groups and organisations from across Northern Ireland. The Bill of Rights project has been contentious over the past year for a number of reasons. From the children's rights perspective specifically, much concern exists in relation to significant dilution of the children's rights protections in the Northern Ireland Human Rights Commission's update report of April 2004. The group has raised these concerns with a wide range of sectors including the Human Rights Commission itself, the Children's Commissioner, the political parties and the British and Irish governments. At the very least we believe that the Bill of Rights should incorporate the standards in the UNCRC. The group has also produced a briefing booklet for young people to ensure that they too understand and can respond to the issues involved.



## Work on other Human Rights Standards

We have been working on mainstreaming other international human rights standards as they apply to children and young people. We produced a briefing guide on the relevance of international human rights standards for the protection of children and young people's rights. The referencing of these standards in the research commissioned by the Children's Commissioner and in the Children's Strategy is evidence of a growing awareness of the relevance of such standards for children and young people. During the year we engaged with a number of international human rights mechanisms including drafting reports for the UN Committee on Torture and the UN Special Rapporteur on the Sale of Children, Child Prostitution and Child Pornography. We have also made submissions to the influential Joint Parliamentary Committee on Human Rights in Westminster.

## Information and Networking

An important part of our work on the mainstreaming of children's rights is the raising of awareness of the relevant human rights standards and over the year we have used many opportunities to do this including the publication of briefing guides on the UN Convention on the Rights of the Child and on other relevant international human rights standards and by contributing articles to various publications such as CAJ's Just News and CiNI's Talk. We have also continued to successfully raise children's rights issues in Northern Ireland within the wider domestic and international children's rights and human rights arena through our participation in various fora, networks and conferences including the Human Rights Consortium in Northern Ireland, the NGO Children's Rights Group in Geneva, the UK Department of Constitutional Affairs' Ministerial Forum on Human Rights and the 2nd Intergovernmental Conference on Making Europe and Central Asia Fit for Children held in Sarajevo in May 2003.

# Education and Training

## Education and Training

It has been another eventful year for education and training within the Children's Law Centre. A year, which has brought both new developments and new arrivals! Sandra McNamee, Education and Training Coordinator gave birth to a baby boy Christopher McNamee on 11 August 2003.

Throughout the past year, interest and demand for training has increased rapidly and staff within the centre, have endeavoured to respond to all requests throughout the year.

## The Training Calendar

The Education and Training Calendar was again well received in the spring/summer months of 2003. All courses proved to be extremely popular and were booked out well in advance. It was not possible this year to run a full Education and Training Calendar as the Education and Training Coordinator was on maternity leave for a significant part of this time. However, all staff within the centre responded to external requests and a number of "one off" training events and seminars were held in the centre. One such event invited representatives from the voluntary sector to have "an afternoon with the Children's Commissioner". Nigel Williams presented his plans for the Children's Commissioner Office and answered questions posed by those attending. Another popular course was "An Introduction to the Law Relating to Children in Northern Ireland. This intensive one day course provides participants with a "whistle stop tour" of laws affecting children and young people. Feedback from evaluations continues to be extremely positive indicating that we are certainly meeting training needs out there.

## Tailored Training

The Children's Law Centre has, over the past year continued to offer tailored training to organisations upon request. This year has seen a huge increase in demand from both voluntary and statutory sectors.

A total of 1615 individuals received some form of training from the Children's Law Centre over the past year, 40 % (648) of these

were young people and 60% (967) were adults. There has been a very significant increase in the amount of training sessions provided to young people this year. These have mostly focused on the United Nations Convention on the Rights of the Child and raising awareness of the Children's Law Centre. Workshops on children's rights have been delivered in a variety of schools and youth groups.

The summer of 2002 saw the development of a new one day course "Hitting and Hurting", a course exploring the issue of physical punishment within the home. The past year has witnessed an extremely positive response to the delivery of this course with many external requests from voluntary and statutory organisations.

## Road to Rights

We are delighted to congratulate our first graduates of the "Road to Rights" peer education programme. A total of 14 young people were successful in completing this course and gaining accreditation through the Northern Ireland Open College Network, 5 credits at level three (equivalent to A Level standard). The "Road to Rights" course is a unique and innovative peer education course for young people aged 16-20 which would have an overall aim to:

*"Provide learners with the knowledge and understanding of children's rights and facilitation skills to enable them to develop a culture of rights among others."*

The young people who completed the course found it to be a challenging and rewarding personal journey of learning and development. Comments from evaluations have been extremely positive and we look forward to building upon this success in our next run. Since the programme the peer educators have been supported by staff in CLC to take this learning to the next stage and become effective peer educators in their community. The response to date has been tremendous with peer educators being in popular demand from both the voluntary and statutory sector. We are delighted to now have our very first group of accredited peer educators in children's rights and wish them well in taking their important messages on children's rights out to others!

Pursuit of accreditation for other courses remains a key strategic target for the education and training project over the next few years. We hope to soon have a range of courses accredited at different levels available for both adults and young people.

## Staff Training

The Children's Law Centre continues to appreciate the importance of staff training for personal and professional development. In addition to the opportunities provided through the Education and Training Calendar, over the past year staff have attended various courses including child protection and strategic planning.

## Evaluation and Monitoring

All training carried out through CLC takes place within a comprehensive system of monitoring and evaluation. All courses are evaluated on an ongoing basis using a variety of methods. We have been delighted with the very positive response to all our training to date and have welcomed all ideas for meeting needs and taking the development of training into the future.

## The Year Ahead ...

The changing external environment in relation to children's rights continues to provide both challenges and opportunities for the provision of training on key children's rights issues. The Education and Training Project is constantly evolving to meet these demands and, consequently, a new strategic plan has been developed to steer the project through the next three year period. Strategic goals for this period include the development of new courses, both accredited and non-accredited, in response to identified need. The creation of education materials and packages for younger children of primary school age is also an exciting area which we wish to progress during this time. The Education and Training Project is continuing to realise its overall aim of bringing law affecting children in Northern Ireland to life and making children's rights a reality for all those individuals and organisations working with children and young people and, consequently children and young people themselves.

# Children's Law Centre Limited (Incorporated by Guarantee)

Financial information for the year end 2003/2004

Income and Expenditure	2004 £	2003 £
<b>Incoming resources</b>		
Grants received	409,861	439,621
Change in deferred income	(14,104)	(6,300)
Other income	29,921	23,173
Investment income	4,852	2,421
<b>Total incoming resources</b>	<b>430,530</b>	<b>458,915</b>
<b>Resources expended</b>		
Support costs in furtherance of the objects of the charity	312,198	275,594
Management and administration of the Charity	81,137	81,818
<b>Total resources expended</b>	<b>393,335</b>	<b>357,412</b>
Net incoming/(outgoing) resources before transfers	37,195	101,503
Transfer between funds	-	-
<b>Net incoming/(outgoing) resources for the year</b>	<b>37,195</b>	<b>101,503</b>
Balance brought forward at 1 April 2003	221,686	120,183
<b>Balance carried forward at 31 March 2004</b>	<b>258,881</b>	<b>221,686</b>

The above amounts relate to continuing operations of the Charity.  
There is no difference between the net incoming resources for the  
year stated above and their historical cost equivalents.

Balance Sheet at 31 March 2004	2004 £	2003 £
<b>Fixed assets</b>		
Tangible assets	21,650	23,071
<b>Current assets</b>		
Debtors and prepayments	32,967	44,227
Cash at bank and in hand	238,210	175,750
	271,177	219,977
<b>Creditors - amounts falling due within one year</b>	<b>(33,946)</b>	<b>(21,362)</b>
<b>Net current assets</b>	<b>237,231</b>	<b>198,615</b>
<b>Net assets</b>	<b>258,881</b>	<b>221,686</b>
<b>Funds</b>		
Unrestricted funds	126,913	88,138
Restricted funds	131,968	133,548
<b>Total funds</b>	<b>258,881</b>	<b>221,686</b>

The financial statements have been prepared in accordance  
with the special provisions of Part VIII of the Companies  
(Northern Ireland) Order 1986 relating to small companies.

**A complete set of Children's Law Centre  
audited accounts for 2003/2204 is  
available on request**

Incoming Resources	2004 Total Funds £	2003 Total Funds £
<b>Grants received</b>		
DHSSPS	64,458	66,457
Health and Social Services Boards	105,844	119,716
Save the Children Fund	31,940	44,756
Children in Need	33,456	-
Community Fund	87,669	85,432
Department of Education	26,250	77,760
Joseph Rowntree Charitable Trust	30,000	30,000
One World Centre	-	10,000
Community Foundation	2,000	4,000
Princes Trust	9,244	-
South and East Belfast Trust	500	1,500
Homefirst Trust	1,500	-
Craigavon and Banbridge Trust	15,000	-
North and West Belfast Trust	2,000	-
	409,861	439,621
Change in deferred income	(14,104)	(6,300)
	395,757	433,321
<b>Other Income</b>		
Sales	20,724	8,467
Miscellaneous income	9,127	14,706
Donations	70	-
	29,921	23,173
<b>Investment Income</b>		
Bank interest receivable	4,852	2,421
	4,852	2,421
<b>TOTAL</b>	<b>430,530</b>	<b>458,915</b>