

**CHILDREN'S  
RIGHTS  
ALLIANCE**

Uniting Voices for Children  
[www.childrensrights.ie](http://www.childrensrights.ie)

**Executive Summary**

# **Report Card 2014**

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**Is Government keeping its  
promises to children?**

*The Children's Rights Alliance unites over 100 organisations working together to make Ireland one of the best places in the world to be a child. We improve the lives of all children and young people by ensuring Ireland's laws, policies and services comply with the standards set out in the United Nations Convention on the Rights of the Child.*

## Members

Alcohol Action Ireland  
Amnesty International Ireland  
Ana Liffey Drug Project  
Arc Adoption  
The Ark, A Cultural Centre for Children  
Assoc. for Criminal Justice Research and Development (ACJRD)  
Association of Secondary Teachers Ireland (ASTI)  
ATD Fourth World – Ireland Ltd  
Barnardos  
Barretstown Camp  
BeLonG To Youth Services  
Bessborough Centre  
Border Counties Childhood Network  
CARI Foundation  
Carr's Child and Family Services  
Catholic Guides of Ireland  
Catholic Youth Care  
Childhood Development Initiative  
City of Dublin YMCA  
COPE Galway  
Crosscare  
DIT – School of Social Sciences & Legal Studies  
Doras Luimni  
Down Syndrome Ireland  
Dublin Rape Crisis Centre  
Dun Laoghaire Refugee Project  
Early Childhood Ireland  
Educate Together  
School of Education UCD  
EPIC  
Focus Ireland  
Forbairt Naíonraí Teoranta  
Foróige  
GLEN - Gay and Lesbian Equality Network  
Headstrong - The National Centre for Youth Mental Health  
Immigrant Council of Ireland  
Inclusion Ireland  
Inspire Ireland  
Institute of Community Health Nursing  
Integration Centre  
International Adoption Association  
Irish Association of Social Care Workers (IASCW)  
Irish Association of Social Workers  
Irish Association of Suicidology  
Irish Autism Action  
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 National Teachers Organisation (INTO)  
Irish Penal Reform Trust  
Irish Premature Babies  
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  
Junglebox Childcare Centre F.D.Y.S.  
Kids' Own Publishing Partnership  
Lifestart National Office  
Marriage Equality – Civil Marriage for Gay and Lesbian People  
Mary Immaculate College  
Mental Health Reform  
Mothers' Union of Ireland  
Mounttown Neighbourhood Youth and Family Project  
MyMind  
National Association for Parent Support  
National Organisation for the Treatment of Abusers (NOTA)  
National Parents Council Post Primary  
National Parents Council Primary  
National Youth Council of Ireland  
One Family  
One in Four  
OPEN  
Parentline  
Parentstop  
Pavee Point  
Peter McVerry Trust  
Rape Crisis Network Ireland (RCNI)  
Realt Beag  
SAFE Ireland  
Saoirse Housing Association  
SAOL Beag Children's Centre  
Scouting Ireland  
Society of St. Vincent de Paul  
Sonas Housing Association  
SpunOut.ie  
St. Nicholas Montessori College  
St. Nicholas Montessori Society  
St. Patrick's Mental Health Services  
Start Strong  
Step by Step Child & Family Project  
Sugradh  
The UNESCO Child and Family Research Centre, NUI Galway  
Treoir  
UNICEF Ireland  
Unmarried and Separated Families of Ireland  
Yoobyoo  
youngballymun  
Youth Advocate Programme Ireland (YAP)  
Youth Work Ireland

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## Executive Summary

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The Children's Rights Alliance works to secure the rights of all children in Ireland by seeking the full implementation of the UN Convention on the Rights of the Child (UNCRC). On a practical level, this means that we advocate for the necessary changes in Ireland's laws, policies and services and hold the Government to account for their obligations to children and young people.

This is the sixth edition of our annual report card series. The first edition, *Report Card 2009*, examined whether the Government had honoured the promises it had made to the over one million children living in Ireland, and awarded it a 'D' grade. The Government got its highest grade to date in *Report Card 2012* when it received a 'C+' – this was in the same year that a Minister for Children and Youth Affairs with full cabinet status was appointed alongside the establishment of a dedicated government department.

*Report Card 2014* evaluates the Government on its progress during 2013 in meeting its commitments to children, as set out in the 2011 *Programme for Government*. This year it is awarded an overall 'C' grade, reflecting **a satisfactory attempt to date**, though children remain wanting. While the overall grade remains the same as *Report Card 2013* there have been significant changes to individual grade sections with some grades rising in places and falling in others.

We have deliberately chosen commitments that the Government itself has put in place as indicators of the 'modern, fair, socially inclusive and equal society' that it promised to deliver through its 2011 *Programme for Government*. The specific commitments which have the potential to improve the lives and life chances of all children in Ireland are set out in the *Report Card* and we have endeavoured to ensure that selected commitments are clear and measurable.

## Some Key Statistics from 2013

- The People of Ireland voted **58% to 42% in favour** of the Children's Constitutional Amendment
- Budget 2014 allocated **€8.75 billion to the Education budget** which is **16% of government spending**
- **68,000** children are availing of the **free pre-school year** in over **4,300 services**
- Of the 34 OECD countries, Ireland ranked **fourth in literacy, 13th in maths and ninth in science**
- **10,520 special need assistants** were deployed in 2013 to meet the needs of over **22,000 children**
- Total **enrolment** in Irish schools is expected to **increase by 700,000 between 2012 and 2018**
- **€37 million** allocated for **free GP care** for children under six which will affect **420,000 children**
- **8,000 children** have been on **waiting lists for specialist appointments** for over **1 year**
- By the **age of 13** almost **one in three young people** will experience some form of **mental health problem**
- **5,811 children** waited for a first appointment with **Child and Adolescent Mental Health Services** from January to November 2013
- **9.3%** of children are living in **consistent poverty** while **18.8%** of children are **at risk of poverty**
- **21%** of children aged between the ages of **10-17** have gone to school or to bed **hungry**
- **Without social welfare** payments, **51%** of Ireland's population would be **at risk of poverty**
- **91.8%** of the **6,462 children in care** had an **allocated social worker** and **87.4%** had a **written care plan**
- The number of **homeless families** in Dublin **doubled** in the second half of 2013: **16 families** each month
- **Infant mortality** among the **Traveller population** is **3.6 times** the rate of the general population
- **10% of primary** and **12% of post-primary school children** in Ireland come from a **migrant background**
- **36.5% of registered births** being **outside of marriage** in the first quarter of 2013

## Report Card 2014: Overall 'C' Grade

Area	Sections	Grade	Average Grade	Comment	
<b>Children's Constitutional Rights</b>	Children's Rights Referendum	B	<b>B</b>	Implementation of the Children's Referendum result has been delayed.	
	<b>Right to Education</b>	Early Childhood Care and Education			C+
		Child Literacy			A-
		Children with Special Educational Needs			C-
		School Buildings			B+
		Patronage and Pluralism in Primary Education			B+
	<b>Right to Health</b>	Primary Care			C
		Mental Health			E
		Alcohol and Drugs			D+
		Children's Hospital			C+
	<b>Right to an Adequate Standard of Living</b>	Child Poverty			E-
		Area-Based Childhood Programme			C+
		Children and the Social Welfare System			D
<b>Right to Protection from Abuse and Neglect</b>	Child and Family Agency	B+			
	Ryan Report Implementation Plan	B-			
	Youth Homelessness	C+			
	Children in Detention	B+			
<b>Right to Equality and Non-discrimination</b>	Traveller Children	E			
	Migrant Children	F			
	Inequalities in Family Life	D+			

### Explanation of Grades

- A Excellent, making a real difference to children's lives
- B Good effort, positive results for children
- C Satisfactory attempt, but children still left wanting
- D Barely acceptable performance, little or no positive impact on children
- E Unacceptable, taking steps in the wrong direction, no positive impact on children
- F Fail, taking steps that undermine children's wellbeing

## Children's Constitutional Rights: Grade 'B'

The legal challenge to the Constitutional Referendum on Children is currently under appeal to the Supreme Court and is due for hearing in 2014. The Constitutional Convention has been meeting to consider areas for potential Constitutional reform.

- ✓ The High Court upheld the result of the Children's Referendum although this is now under appeal to the Supreme Court and the Constitutional Convention agreed to examine the possible inclusion of economic, social and cultural rights in the Irish Constitution.
- ✗ The positive result of the referendum cannot yet be implemented and has been delayed due to the ongoing legal challenge.

**Immediate Action:** Enact comprehensive legislation as required under the Constitutional Amendment and ensure an appropriate plan is in place should the Constitutional Amendment be struck down by the Supreme Court.

## Right to Education: Grade 'B'

There have been positive developments including the retention of the free pre-school year, progress made on commitments in relation to patronage and pluralism, the continued rollout of the National Literacy and Numeracy Strategy, the announcement of funding for a Minor Works Grant Scheme for schools and the publication of the policy advice

### Early Childhood Care and Education: C+

- ✓ The 'Pre-School Quality Agenda' includes registration of all pre-school services and the introduction of minimum qualification requirements for all pre-school staff working with children.
- ✗ These developments were announced in response to the *Prime Time* investigation into the maltreatment of children privately-run early years' services.

**Immediate Action:** Launch and commence the implementation of the National Early Years Strategy.

### Child Literacy: A-

- ✓ Marked improvement in Ireland's 2012 results in the OECD Programme for International Student Assessment (PISA) for literacy, mathematics and science and Budget 2014 allocated €5 million to a book rental scheme for primary schools.
- ✗ Time spent on literacy in DEIS schools is currently 102 minutes per week, falling short of the Programme for Government commitment of 120 minutes per week.

**Immediate Action:** Develop a long term strategy for addressing educational disadvantage.

### **Children with Special Educational Needs: C-**

- ✓ The National Council for Special Education (NCSE) published its policy advice on supporting students with special educational need and a working group was set up to examine resource allocation for children with special needs.
- ✗ The Education for Persons with Special Educational Needs (EPSEN) Act 2004 has not been enacted in full.

*Immediate Action: Reform the support allocation model to bring an end to exclusionary practices.*

### **School Buildings: B+**

- ✓ Announcement of €28 million in funding for a Minor Works Grant Scheme and €40 million for a Summer Works Scheme in 2014.
- ✗ With increases in school enrolments, an overarching long-term school replacement programme needs to be developed rather than reacting to impending crises in the short to medium-term.

*Immediate Action: Ensure that the promised funding for the remainder of the School Buildings Programme is protected and that quality is maintained.*

### **Patronage and Pluralism in Primary Education: B+**

- ✓ Parental surveys have been carried out in 38 areas and patrons have submitted final responses to the Department of Education and Skills on proposed changes of patronage.
- ✗ The White Paper on Patronage and Pluralism in Primary Education has not yet been finalised but is expected in 2014.

*Immediate Action: Commence divestment when appropriate and publish the White Paper on Patronage and Pluralism in Primary Education.*

## **Right to Health: Grade 'D+'**

**Despite the announcement on free GP care for children five years and under as well as positive developments in the area of anti-bullying, a higher grade could not be awarded. The failure to put in place the primary care teams, concerns about the treatment of children and adolescents with mental health needs as well as further delays in the Children's Hospital have contributed to this disappointing grade.**

### **Primary Care: C**

- ✓ Free GP care for children aged five years and under, as announced in Budget 2014, is a positive step in advancing a children's rights approach to healthcare and promotes an early intervention approach to health.
- ✗ Children still face long delays in accessing basic services with geographical variation in Health Service Executive service provision proving problematic.

*Immediate Action: Enact the primary legislation necessary for the introduction of free GP care for children aged five years and under.*

## Mental Health: E

- ✓ A number of key documents to address bullying and promote mental wellbeing were published including the report of the anti-bullying working group, new *National Procedures on Anti-Bullying* as well as guidelines on mental health promotion and suicide prevention.
- ✗ There was a €15 million reduction in development funding for mental health services. Targets set out in the 2013 *Health Service Executive National Service Plan* were not met as the number of children on waiting lists for appointments has increased and in 2013, 68 children were admitted to adult psychiatric units.

**Immediate Action:** *Ensure all children under 18 years receive age-appropriate and timely mental health services and treatment and that no child is admitted to an adult psychiatric unit.*

## Alcohol and Drugs: D+

- ✓ Cabinet has approved measures such as minimum pricing for alcohol to be included in a Public Health (Alcohol) Bill and the *Tobacco Free Ireland* report has been published.
- ✗ A number of reports demonstrate the negative impact of parental substance misuse on children so this must be addressed by the Department of Health as well as the new Child and Family Agency.

**Immediate Action:** *Sustain investment in non-alcohol and drug free spaces for young people.*

## Children's Hospital: C+

- ✓ Governance of the National Children's Hospital has been reorganised and €150 million has been approved for a new national maternity hospital at St. Vincent's campus in Dublin.
- ✗ Children continue to be treated in below-standard facilities and the completion date for the new hospital is estimated to be 2018.

**Immediate Action:** *Begin and expedite the process of building the new National Children's Hospital.*

## Right to Adequate Standard of Living: Grade 'D'

**Child poverty remains high and the cumulative impact of a number of harsh budgets continues to be felt by children and families. There were positive developments in relation to the Area-Based Childhood (ABC) Programme but it is too soon to assess the potential impact of this programme. There have been no changes to children and the social welfare system.**

## Child Poverty: E-

- ✓ There were no further cuts to child income supports in Budget 2014 and the School Meals Budget was maintained.



- ✘ A child poverty sub-target has still not been set and households with children were the most negatively impacted in Budget 2013.

**Immediate Action:** Each government department should carry out a social impact assessment in advance of budgetary decisions being finalised for Budget 2015 to protect children and families.

#### **Area-Based Childhood (ABC) Programme: C+**

- ✓ Additional funding of €1.5 million was announced and a total of 12 sites will be funded under the ABC Programme exceeding the Government's own commitment to fund up to ten sites.
- ✘ The project is very much dependent on philanthropic funding and there are no independent experts on the Working Group on the Area Based Response to Child Poverty.

**Immediate Action:** Ensure that the different ABC projects are proofed against the UN Convention on the Rights of the Child.

#### **Children and the Social Welfare System: D**

- ✓ The Advisory Group on Tax and Social Welfare published its report on child income supports recommending the introduction of a 'two-tier' system with better targeted supports for low income families.
- ✘ The recommendations of the Advisory Group have been put on hold and a report on working age supports has yet to be published.

**Immediate Action:** Introduce a modified two-tier system of child income supports with specific additional in-work support for low-income working families.

## **Right to Protection from Abuse and Neglect: Grade 'B'**

There were a number of positive developments including the long-awaited establishment of the Child and Family Agency which marks a milestone in the reform of child protection services, the announcement that there will be a statutory right to an aftercare plan, the removal of the majority of 17 year olds from St. Patrick's Institution and the redevelopment of Oberstown campus.

#### **Child and Family Agency: B+**

- ✓ The Agency was established on 1 January 2014 and to key children's rights principles were included in the legislation underpinning the body.
- ✘ Key challenges for the new Agency include the struggle for resources as well as ensuring efficient intra-agency and interagency working among its 4,000 members of staff.

**Immediate Action:** Ensure the Agency does not carry over any budgetary deficits and is adequately resourced.

#### **Ryan Report Implementation Plan: B-**

- ✓ Work is underway to set up a Monitoring Framework to carry on the work of the Ryan Report Implementation Plan Monitoring Group and a commitment was given to put in place a national coordinated approach for sexual abuse services for children and young people.
- ✗ The final report of the Ryan Report Monitoring Group has not been published and the Children First legislation has been delayed.

**Immediate Action:** *Publish the final progress report of the Ryan Report Implementation Plan and enact Children First legislation.*

#### **Youth Homelessness: C+**

- ✓ The review of the *Youth Homelessness Strategy* was published and the Government approved plans for legislation to provide for a statutory right to an aftercare plan.
- ✗ There has been an increase in the number of families with children being made homeless but appropriate accommodation is not available to respond to their needs.

**Immediate Action:** *Ensure that appropriate emergency accommodation facilities are available for children and young people presenting as homeless and invest in appropriate accommodation for homeless families.*

#### **Children in Detention: B+**

- ✓ All 17 year olds serving a custodial sentence have been moved out of St Patrick's Institution and construction work is underway on the new National Detention Facility at Oberstown.
- ✗ St. Patrick's Institution was still being used for 17 year olds held on remand while the others have been transferred to an adult prison. This must be a temporary measure.

**Immediate Action:** *An individual case tracking system should be put in place to track the outcomes for young people who leave detention and a review should be carried out on the use of remand.*

## **Right to Equality and Non-Discrimination: Grade 'E'**

**Traveller ethnicity has not been recognised and there has been little meaningful action to improve the lives of Traveller children. There is little evidence of targeted activity to support migrant children and key legislation remains unpublished. The Minister for Justice and Equality has promised to radically reform law affecting children and families.**

#### **Traveller children: E**

- ✓ The Joint Committee on Justice and Equality held hearings on the issue of Traveller ethnicity and are due to publish a report. The *Action Plan on Bullying* makes specific mention of the negative impact of bullying on Traveller children.
- ✗ The repeated failure to recognise Travellers as an ethnic group as well as the lack of focus or implementation of existing policy for Travellers continues to be of concern.

**Immediate Action:** *Include specific commitments to Traveller children in the forthcoming National Children and Young People's Policy Framework and its associated implementation strategies.*

#### **Migrant children: F**

- ✓ Leave was granted by the High Court to challenge the direct provision system on the basis that it violates the rights of children and families under the Constitution and the European Convention on Human Rights.
- ✗ More than a third of direct provision residents are children and a high percentage of separated children continue to go missing despite the decline in the number of these children coming to Ireland.

**Immediate Action:** *Ensure that the Immigration, Residence and Protection (IRP) Bill is proofed against the UN Convention on the Rights of the Child.*

#### **Inequalities in Family Life: D+**

- ✓ The recognition of the best interests of the child in the Courts and Civil Law (Miscellaneous Provisions) Act 2013 is a welcome step in the modernisation of family law.
- ✗ While a briefing note on the forthcoming Children and Family Relationships Bill was published, as it has not been enacted there was no tangible improvement in 2013 to the lives of children in families who will be impacted by the new legislation.

**Immediate Action:** *Modernise the law on children and family relationships and ensure it is underpinned by children's rights.*