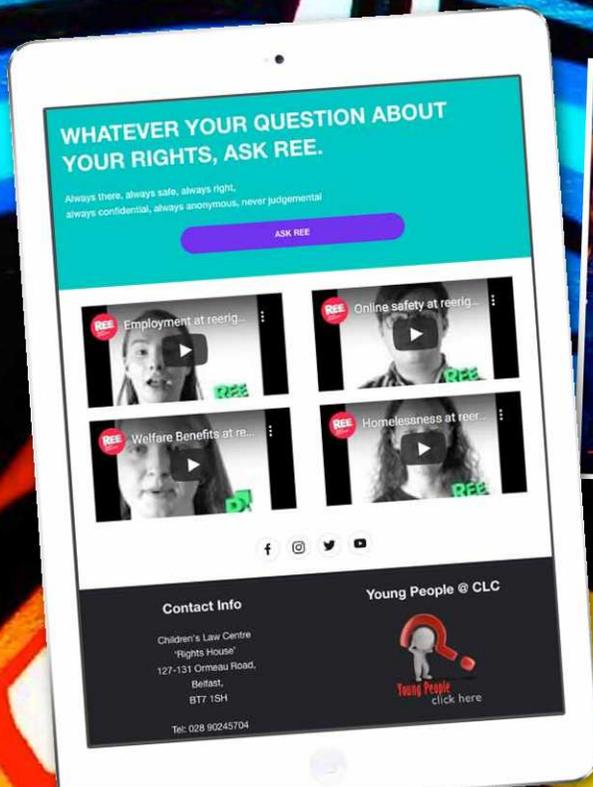


CHILDREN'S LAW CENTRE

Children's rights change children's lives

ANNUAL REPORT 2018/2019



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DIRECTOR'S REPORT

During the year April 2018 to March 2019 the Children's Law Centre's Freephone Advice Service (CHALKY) has continued to provide high quality legal advice and information to increasing numbers of children, young people, their parents and professionals working with children. The annual demand for the Centre's advice services continues to grow. During the financial year ended 31 March 2019 the Centre provided advice in respect of 3,395 issues relating to children and young people's rights, a staggering 41.5% rise in the number of issues in just 3 years.

Issues raised by clients continue to cover the full range of legal issues presenting throughout a child's life, from the registration of births, name change, family support and parental responsibility to welfare benefits and mental health. Queries in relation to education, particularly in relation to special education, continue to rise. Other major issues within the Education category included exclusions, admissions, school governance, transport and discrimination. Family law, contact/residency, social security, medical treatment, mental health, disability, human rights, justice, homelessness, immigration and care are among the many other children's legal issues on which advice has been sought.

The focus of strategic casework undertaken by the Children's Law Centre (CLC) has changed due to new emerging strategic issues raised by children



and parents/carers seeking CLC's legal advice and support. Strategic issues which have been the subject of litigation this year include access to family support services for children with mental health needs and disability. We have also been working closely with the Juvenile Justice Centre (JJC) providing legal advice to children in the JJC. There has been a significant number of requests for advice from young people in the JJC in respect of their inability to perfect bail because they cannot provide a bail address i.e. the young person is homeless. The provision of immigration advice is an emerging area of work for CLC, including immigration issues related to Brexit. Children continue to present with one legal issue but on closer examination the presenting issues is only one of many legal matters engaged e.g.

children presenting as homeless often have mental health issues.

CLC continues to represent at Special Educational Needs and Disability Tribunals (SENDIST) in strategic cases and also support parents to lodge cases with the SENDIST and self-represent. We again witnessed an increase demand for this service. In addition, the Centre also continues to represent children in the vast majority of Mental Health Review Tribunals involving children in this jurisdiction. During the year the Centre again secured the LEXCEL quality control mark for its legal services.

During the year the Centre have continued the process of developing a ChatBot as a technical

CLC also delivered children's rights workshops and advice clinics directly to young people within the Juvenile Justice Centre covering issues such as mental health, access to accommodation and social services support when released from JJC.

solution to the challenge of delivering legal information to young people in a format that reflects the reality of the way young people live their lives in the 21st century and which will be accessible to those children who otherwise would not access legal information and advice. In partnership with youth@clc CLC, have developed a Chatbot, 'Ree Rights Responder', which will provide jurisdictionally specific legal information 24/7. We undertook a series of focus groups with young people as part of the development and co-design process for CLC's Chatbot, including with young people who are care experienced and some who have mental health needs. The legal Chatbot launch in January 2020 will be a major step in CLC's journey to develop a platform through which young people can access the legal information and support they require to realise their rights, when and where they need it.

The ability of CLC to engage in effective policy and legislative advocacy continues to be significantly curtailed by the absence of a functioning devolved legislative Assembly and Executive. Despite this CLC, informed by the evidence from its casework and its engagement with young people, has continued to submit policy responses and engage in policy dialogue. Included in the policy work undertaken by the Centre's staff is engagement with



the Department of Health (DoH) on the Codes of Practice for the Mental Capacity Act, a response to a consultation on preventing Suicide in Custodial Settings and a response to the Public Prosecution Service: Guidelines for the Prosecution of Young Offenders. We have also been engaging with all relevant authorities in respect of the potential impact of Brexit on children, including non-British/Irish EU Looked After Children.



CHATBOT

During 2018/19 CLC delivered 31 training seminars and workshops to diverse audience, including children and young people, parents and professionals working with children.

All training programmes have been children's rights focused and have been designed by CLC to raise awareness of children's legal entitlements to access public health services including the rights of children in need within the community; homeless children; children with ASD; children with special educational needs; children in need within juvenile justice settings; and children with mental health needs. CLC also delivered children's rights workshops and advice clinics directly to young people within the Juvenile Justice Centre covering issues such as mental health, access to accommodation and social services support when released from JJC. We also delivered a series of workshops to young people around the impact of Brexit on their lives.

The challenges to the realisation of children's rights in this jurisdiction remain significant not least because of political instability and lack of investment in services for children and young people. In the face of these challenges CLC staff, Management Committee, Volunteers and youth@clc remain committed to the promotion and protection of children's rights, because the evidence from our work shows children's rights change children's lives.

Paddy Kelly
DIRECTOR

CHAIRPERSON'S REPORT

2018-2019 heralded exciting, innovative and ground breaking developments in CLC. In response to the huge unmet legal needs of young people CLC have been developing cutting edge digital solutions to reach young people, especially the most vulnerable young people, who have legal problems. The digital solution will provide legal information to young people where they need it, when they need it and before they reach crisis point. These developments will revolutionise the way CLC reaches young people and how it delivers first tier legal information. This innovation also has huge potential for replicability across the legal and advice sector.

CLC's free legal advice line CHALKY dealt with a staggering 3395 legal issues last year, mostly from adults calling on behalf of children and young people. However, CLC know from recent research that there is a significant level of unmet legal need amongst young people under 18. Many young people don't know they have rights and/or can't access legal information on rights in an accessible or relatable format, so they don't see how the law can help them. Many are therefore unable to improve their lives by vindicating their rights. We know that, while CHALKY remains critical in the provision of legal advice for vulnerable children, we need an additional interface in the digital age to enable CLC to reach young people directly, especially the most vulnerable young people who do not have supportive adults to advocate for them.

By the time young people reach the Children's Law Centre (mainly through supportive adults) many of

the young people CLC acts for, are at crisis point. To enable young people to reach CLC's services quickly and directly youth@clc (CLC's youth advisory panel) advised us to make information on rights available online, and to make it accessible on any digital device e.g. android, smartphone, iPad, tablet etc.

In partnership with CLC's staff, youth@clc have been working over the last year to develop a digital solution to provide young people with much needed legal information on issues which, they have identified impact on their lives and which command a legal solution. After consulting widely with other diverse groups of young people, CLC's staff and youth@clc, working alongside Damgeo, an IT firm who develop digital solutions, have developed an amazing Chatbot which they have named REE Rights Responder. REE will be launched in early 2020. During 2020 CLC will continue to build the Chatbot's functionality and content. As part of that process we are hugely indebted to staff in Baker McKenzie for all their support in researching and developing content for the next stage of the Chatbot.

CLC's exciting vision is to establish a sustainable, fully functional 24/7 digital legal information and advice service for children and young people by 2021. This service will be capable of connecting young people with legal issues directly and quickly to potential legal remedies to their problems and/or signposting them to other support services when appropriate. As it will be available 24/7 the service will be able to reach young people when they need help and before they reach crisis point. When

fully operational it will empower CLC to engage with young people directly and improve the lives of even more young people including those who find themselves homeless, in need of mental health services and those being exploited in work.

This is an amazing achievement on the part of youth@clc and CLC Staff. We all look forward to REE going 'live' and the further development of the 24/7 digital legal information and advice service for children and young people.

It was a privilege as Chairperson of the Children's Law Centre to welcome Baroness Hale, President Supreme Court of the UK, to Belfast to deliver the Centre's 2019 Annual Lecture. Baroness Hale, who was at the time sitting in the Court of Appeal, delivered CLC's inaugural Annual Lecture in 2006. It was therefore particularly enjoyable to welcome her back to Belfast as President of the Supreme Court.

Baroness Hale's obvious commitment to children's rights was witnessed when she took time before the lecture to meet with representatives of youth@clc who shared with her their insights into the children's rights and legal issues faced by their peers in this jurisdiction. In particular they raised the issue of child and adolescent mental health and the huge need for services for children and young people.

The focus of Baroness Hale's lecture which was on *'The Rights of Disabled Children'* had particular resonance for the work of CLC given that a significant percentage of the Centre's young clients live with physical or mental disability.

// Children in Northern Ireland are fortunate that they have the Children's Law Centre which is dedicated to championing their rights both individually and collectively

Setting her lecture within the context of Article 24 and 26 of the Charter of Fundamental Rights of the European Union she recognised the difficulties disabled children, in both Britain and Northern Ireland, had in accessing public services especially given severe pressure on funding and considering relevant case law. She also reflected on the implications of rules governing welfare benefits for disabled children and on liberty rights of 16 and 17 year olds whose capacity is impaired by mental ill health or learning disability. A case considering the latter issue was before the Supreme Court when Baroness Hale delivered her lecture (*In re D (A Child)*). The issue is one of particular concern to the Children's Law Centre in the context of proposals which, at the time of the lecture, were contained in the Mental Capacity (NI) Act 2016 and associated Codes of Practice. We eagerly await the Supreme Court's decision in the *Re D* case given the implications for the liberty rights of mentally disabled 16 and 17 years olds in this jurisdiction.

Reading the extent and breadth of work undertaken by CLC in the last year I applaud the staff, youth@clc and volunteers for not only responding to ever increasing demands in areas of law in which the Centre has led the way for many years, but also for their insight and commitment in exposing other areas of children's rights which would benefit from the Centre's expertise and children's rights focus. The huge unmet legal advice needs young people have in relation to employment law is a challenge that is crying out for action. Many of our young people work out of economic necessity, no doubt a product of austerity and welfare benefit



cuts. These young people are clearly vulnerable to exploitation in a range of forms. Despite this there is little regulation, enforcement and no dedicated free employment legal advice for young people which they can access. In addition to the provision of legal information on REE, CLC has highlighted an urgent need for a dedicated legal advice service and associated policy advocacy focusing on the employment rights of young people in Northern Ireland.

Another issue which CLC has been consistently raising over the last three years is the implications of Brexit for children in this jurisdiction. This year CLC has again been highlighting their concerns in relation to the rights of non-British/Irish EU children post Brexit and in particular those children who are looked after. It is imperative that the status of these children is regularised as soon as possible. Through its casework CLC also identified a need for a dedicated child focused immigration legal service to support non-EU children requiring immigration law advice, including unaccompanied and asylum seeking children. Fortunately, given the importance

of this issue, CLC have been successful in securing funding for a year, to meet both these legal needs in 2019/2020.

None of the amazing and ground breaking work reflected in this Annual Report would

have been possible without the support of our diverse and wonderful family of funders. Their belief and trust in the work of CLC has literally changed the lives of hundreds of children this year. Thank you for believing that **Children's Rights change Children's Lives** and that together we can build a better world for all our children.

Finally, a very special thanks to all CLC staff, youth@clc and volunteers; you have realised children's rights and changed their lives.

As Chairperson of the Children's Law Centre, and on behalf of the Centre's Management Committee, I echo Baroness Hale's closing remarks from her lecture:

"Children in Northern Ireland are fortunate that they have the Children's Law Centre which is dedicated to championing their rights both individually and collectively. I salute you."

Anne Marie Kelly
CHAIRPERSON

YOUTH PARTICIPATION & ADVOCACY PROJECT

APR 2018 - MARCH 2018 Youth@clc Members

24 young people were members of youth@clc during 2018/2019:

- Saorla White
- Orla McGinnity
- Lucy McRandal
- Jay Martin
- Eve Finnegan
- Julie Donnelly
- Meabh Brolley
- Maeve McFall
- Rachael McMurrugh
- Marcus Chapman
- Emilija Budryte
- Hollie McHugh
- Ziphilus Lilith Mackin
- Chris Magee
- Ronan Cunningham
- Laurie Kennedy
- Eimear O'Keefe
- Aoibhinn Graham
- Sarah Hand
- Aron Hughes
- Pearse Smith
- Maria Thompson
- Dasha Krasnodembskaya
- Jennifer McAlpin

DEVELOPING A DIGITAL LEGAL INFORMATION AND ADVICE SERVICE FOR YOUNG PEOPLE

MAR - JUNE 2018 Techies in Residence Programme

During March - June 2018 CLC participated in the Techies in Residence programme, funded by the Building Change Trust and facilitated by Innovate NI. Working with a 'Techie', CLC developed a prototype chatbot to provide accessible online legal information to young people aged 13 - 17 years as well as signposting to CLC legal advice and/or other agencies for other kinds of support when needed.

JUN - NOV 2018 Techies in Residence Programme - Seed Fund Phase

After making a successful pitch to the Techies in Residence Panel at the Digital DNA Conference in St. George's Market on the 19 June, CLC secured a seed fund grant from Building Change Trust to further develop our children's rights chatbot.

Working with tech developers, Damgeo Ltd, youth@clc and volunteers, CLC continued to build and refine the chatbot using Google's freeware programme Dialogflow. The platform utilises AI based natural language programming to enable accessible dialogue with young people on their rights.

In collaboration with young people and Damgeo, we initially developed legal content to support FAQs on 3 areas of law - Employment, Homelessness and "At What Age Can I...?" type questions.

We piloted the chatbot with 50 young people in November to inform the next stage of the chatbot build. Feedback was very positive from the young people who participated in the online survey and focus groups.

"CLC and youth@clc continued to develop additional chatbot content and functionality in collaboration with 5 focus groups which included justice, care and mental health experienced young people. Legal Q and A content relating to young people's rights when stopped and searched by the police was also added during this period."



Baker McKenzie Paralegal Pro bono team complete legal research for the further development of REE in 2020. Many thanks to Mark Gardiner and Andrew Neill for all their invaluable help and support over the last 6 months

DEC 2018 -
MARCH
2019

Chatbot Development

After successfully securing funding from the Legal Education Fund and the Department for Communities, CLC and youth@clc continued to develop additional Chatbot content and functionality in collaboration with 5 focus groups which included justice, care and mental health experienced young people. Legal Q and A content relating to young people's rights when stopped and searched by the police was also added during this period. CLC also began working with Journeyfor/ Design Company to support us in developing a brand identity for the Chatbot through a co-design process with youth@clc. Looking forward, we aim to soft launch the Gold Release version of the chatbot on the 5 November 2019 as part of Include Youth's Front Stage Festival event for young people at the MAC theatre and to publicly launch the General Release version on 29 January 2020 at W5.

REE
Rights Responder

KNOW YOUR RIGHTS

WHATEVER YOUR QUESTION ABOUT YOUR RIGHTS ASK REE

reerights.com

Children's Law Centre

REE
Rights Responder

AT WHAT AGE CAN I...?

WHATEVER YOUR QUESTION ABOUT YOUR RIGHTS ASK REE

reerights.com

Children's Law Centre



I'M GOING TO CAMHS.
What will happen there?

WHATEVER YOUR QUESTION ABOUT YOUR RIGHTS, ASK REE.

Always there, always safe, always right, always anonymous, always confidential, never judgemental.

REE
Rights Responder

I THINK MY BOSS IS HOMOPHOBIC.
What can I do about that?

WHATEVER YOUR QUESTION ABOUT YOUR RIGHTS, ASK REE.

Always there, always safe, always right, always anonymous, always confidential, never judgemental.

REE
Rights Responder

At what age **AM I ALLOWED TO GET A TATTOO?**

WHATEVER YOUR QUESTION ABOUT YOUR RIGHTS, ASK REE.

Always there, always safe, always right, always anonymous, always confidential, never judgemental.

REE
Rights Responder

I HAVE A DISABILITY.
What are my rights at work?

WHATEVER YOUR QUESTION ABOUT YOUR RIGHTS, ASK REE.

Always there, always safe, always right, always anonymous, always confidential, never judgemental.

REE
Rights Responder

I'VE NOWHERE TO SLEEP TONIGHT.
What can I do?

WHATEVER YOUR QUESTION ABOUT YOUR RIGHTS, ASK REE.

Always there, always safe, always right, always anonymous, always confidential, never judgemental.

REE
Rights Responder

At what age **AM I ALLOWED TO WORK?**

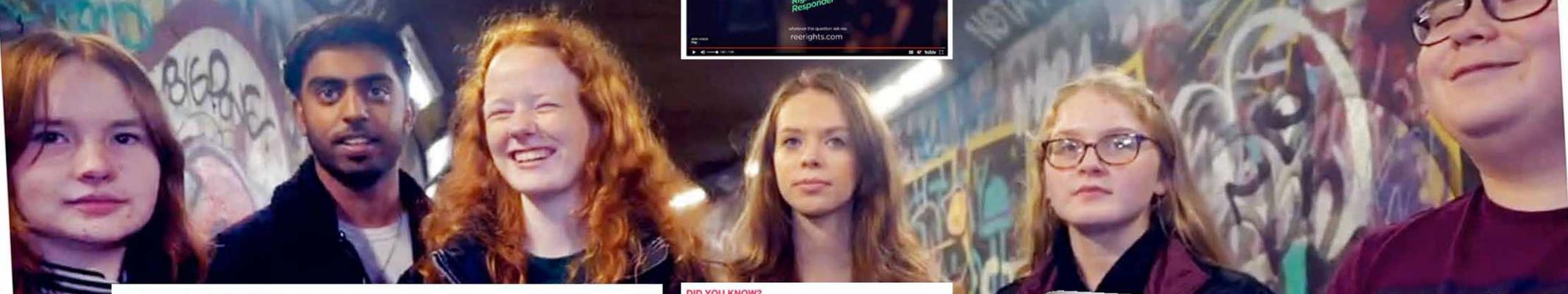
WHATEVER YOUR QUESTION ABOUT YOUR RIGHTS, ASK REE.

Always there, always safe, always right, always anonymous, always confidential, never judgemental.

REE
Rights Responder



REE Rights Responder



DID YOU KNOW?



Watch later Share

DID YOU KNOW?



MORE VIDEOS

0:09 / 1:59

DID YOU KNOW?



DID YOU KNOW?



DID YOU KNOW?



WHATEVER YOUR QUESTION ABOUT YOUR RIGHTS, ASK REE.

Always there, always safe, always right,
always confidential, always anonymous, never judgemental

ASK REE



Contact Info

Young People @ CLC

Children's Law Centre
'Rights House'
127-131 Ormeau Road

reerights.com

ELEPHANT IN THE ROOM - MENTAL HEALTH AWARENESS CAMPAIGN

4 October 2018: Launch of Elephant in the Room Report - Exploring young people's awareness of mental health in Northern Ireland.

Since launching their Report on the 4 October 2018, the Youth Mental Health Committee (partnership between NI Youth Forum, Belfast Youth Forum and youth@clc) have been engaged in an ongoing social media campaign to highlight key issues raised by their report. They have also been engaging directly with key decision makers on the need for better mental health education in schools and better access to mental health support and information (particularly online). A copy of the full research report and the youth accessible summary version of 'Elephant in the Room - Exploring young people's awareness of mental health in Northern Ireland'; October 2018 can be downloaded from CLC's website.



Chatbot Focus Group on Mental Health March 2019



YOUNG PEOPLE AND BREXIT

February - March 2019: Brexit and Children's Rights Workshops for Young People

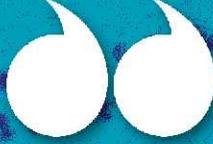


"Remember it's our future. Our future will depend on your decisions."

Following on from the launch of 'Greatest Impact - Least Heard: Hearing Young People's Voices on Brexit' in September 2018, CLC developed accessible educational materials on Brexit as a foundation for the development and delivery of further workshops for children and young people in schools and youth groups. Over 100 young people participated in Brexit discussion during February and March 2019.



Client TESTIMONIALS



Our son is a bright, caring child, who loves to learn, but due to his autism struggles with the unstructured and social elements of school which can cause him to become overloaded. We first received support from the Children's Law Centre during our son's Primary 4 year. Our son was struggling enormously without adult assistance to help him avoid stressful situations and deescalate incidents when they did arise. His unhappiness was manifesting in behaviours that put both himself and occasionally other children at risk. With the Children's Law Centre's support we appealed our son's statement and after a lengthy exchange with the EA were able to secure a clear and unambiguous statement that provided one to one adult support to ensure our son could attend school safely. With the right support he was able to thrive in the primary school environment, catching up academically and even making friends!

Later, during transfer to post-primary, our son's statement was amended to reduce the adult support he received during the school day. He immediately began to struggle in the constantly changing environment of his new school. Changing classrooms and teachers and making new friends was overwhelming. Again his behaviour began to suffer, and the school recommended he needed one to one adult support throughout the school day. With the Children's Law Centre's support we were able to challenge his amended statement and just a month ago, we were delighted when the EA agreed to reinstate his one to one support. He is now settling into his new school and adjusting to the new routine, and gradually we are seeing his overstimulation reduce. He even tells us his favourite thing about school is that there are so many interesting things to learn.

Without the accessible and expert support from the Children's Law Centre we would have struggled to articulate our concerns effectively and navigate the system to get appropriate support for our son. We don't doubt that without the regular reassurance that we were seeking nothing more for our son than what he was entitled to and the encouragement that it was within our reach we would have become overwhelmed and ultimately given up. We cannot overstate how exhausting and draining it is to have to relentlessly engage with a system that often seems to be against you, particularly when you are already exhausted from supporting your child with additional needs.

However, the clear, level headed advice we received allowed us to determine the most appropriate course of action and follow through with it, and has ensured that our son is able to enjoy and fully participate in school. He loves learning, and it is a joy to see him thrive in an environment that is both supportive and stretching. It is after all what any child deserves.

Dear Rachel and Liam,

It is coming up on 1 year since (child's name) Tribunal hearing. Since then we have been struggling to put into words the impact that your assistance and support has had on (child's name) future and that of our family.

As parents of a child with Hydrocephalus, C.V.I and Epilepsy which have resulted in (child's name) having a complex set of needs from birth. We have frequently felt alone and struggled to try and obtain the best outcomes for her.

Initially we had heard about the Children's Law Centre at a talk that Liam had given on the statementing process to parents. This was organised by the RNIB. Having witnessed the continuing impact music therapy had on (child's name) in so many areas of her development, we knew that having it on (child's name) statement of Education would be critical to her reaching her fullest life potential. But we needed someone to believe what we knew to be true and help us to obtain this goal.

We contacted the Law Centre initially for information but could not have envisaged how that phone call would have opened a world of advice, support, hope, advocacy and representation. Through the process of phone calls, letters, emails and meeting you and staff of the Law Centre not only provided a guiding hand, expert knowledge and skills but gave us belief, hope and the persistence to keep going in order to achieve the absolute best outcome for our daughter.

As full-time working parents who have two other young daughters and a child with complex needs, it often seemed like we needed to climb a mountain but couldn't, simply because we didn't have the time, energy or expertise. Without your input we couldn't have climbed that mountain. Your client care for the entire family was second to none. And indeed, on the day you told us you would be representing us at the tribunal it was such a relief. I think I said Rachel to you I felt like I had won the lottery!!

The tribunal ruled, for the first time ever in Northern Ireland, that music therapy would be included in a child's statement of special needs. The amount of work behind that outcome couldn't be fully explained or underestimated and didn't stop on that day as up to January 2019 the finer details were still under negotiation between all parties involved.

Because of your involvement and belief in (child's name) case she will have a better life. She week on week makes progress astounding all the Medical professionals involved with her, at odds with the initial life limited prognosis she was given.

Thank you not only for your professionalism and knowledge but also your empathy and care throughout this long journey. We know we would not be in this position without the help of the Children's Law Centre. Your input will have an enormous impact on (child's name) continued development and in turn the lives of our whole family. We are truly indebted to you.

Yours sincerely
(Child's parents)

TRAINING & EDUCATION

During 2018/2019 a total of 983 people (658 adults and 325 children and young people) participated in 32 CLC training events, seminars, youth participation events and children's rights workshops and focus groups.

2018 - 2019 CHILDREN'S RIGHTS LEGAL SEMINARS

Training highlights this year included the delivery of bespoke seminars on Mental Health Law to the Public Prosecution Service in April 2018. Feedback from the seminars was very positive with participants noting that they found the training:

"...very informative and useful..."

Also of note was feedback from Youth Justice Agency staff who all participated in training seminars on the rights of young people in the justice system. Most staff commented that they found the training extremely useful and particularly benefited from the opportunity to discuss the relevance of recent case law to their work with young people in the justice system.

On the 21 September 2018 CLC launched the Report 'Greatest Impact - Least Heard'; Hearing Young People's Voices on Brexit' in CLC offices. Speakers included Professor Helen Stalford, Professor of Law at the University of Liverpool and Director of the European Children's Rights Unit, Deirdre Griffith from the Executive Office and Paddy Kelly and Rachel Hogan from CLC.

Training Calendar Events

Date	Course
24.10.18	Rights of Children with Special Educational Needs
05.12.18	SEN Revised Legal Framework
27.02.19	Rights of Children with ASD
27.03.19	SEN Revised Legal Framework

TAILORED CHILDREN'S RIGHTS EVENTS FOR ADULTS, CHILDREN AND YOUNG PEOPLE

Date	Course/Event
10.04.18	Mental Health Law - A Children's Rights Approach <i>Public Prosecution Service</i>
18.04.18	Mental Health Law - A Children's Rights Approach <i>Public Prosecution Service</i>
22.04.18	Elephant in the Room - Mental Health Workshop <i>Amplify youth group - Ballymena</i>
26.04.18	Elephant in the Room - Mental Health Workshop <i>Nerve Centre - Derry</i>
02.06.18	Rights of Children with Special Educational Needs <i>Shine Parents Support Group</i>
26.06.18	Using Legal Aid <i>Law Centre</i>
17.09.18	Children's Law Centre Information Session <i>NI Public Sector Ombudsman</i>
18.09.18	Rights of Children with Special Educational Needs <i>Tourette's Alliance</i>
21.09.18	'Greatest Impact, Least Heard' - Brexit and Children's Rights Seminar <i>Children's Sector Stakeholders</i>
04.10.18	Launch of Elephant in the Room Joint Campaign <i>Long Gallery Stormont with NI Youth Forum and Belfast Youth Forum</i>
08.11.18	Rights of Young People in the Justice System <i>Youth Justice Agency</i>
14.11.18	Rights of Young People in the Justice System <i>Youth Justice Agency</i>
15.11.18	Rights of Homeless Young People <i>RQIA</i>
22.11.18	Rights of Young People in the Justice System <i>Youth Justice Agency</i>

Date	Course/Event
29.11.18	Rights of Young People in the Justice System <i>Youth Justice Agency</i>
16.01.19	Children's Rights Presentation <i>School Leaders' Conference Cookstown</i>
17.01.19	Rights of Children with Special Educational Needs <i>Guide Dogs NI</i>
08.02.19	Workshop on Special Educational Needs <i>QUB PGCE Students</i>
08.02.19	Brexit and Children's Rights Awareness Raising Workshops <i>Shared Education Event for Schools - Ballymoney</i>
13.02.19	Brexit and Children's Rights Workshop <i>Ashfield Girls Secondary</i>
19.02.19	Chatbot Research Focus Group <i>VOYIC - Ballymena</i>
26.02.19	Children's Rights workshops for young people <i>Woodlands Juvenile Justice Centre</i>
05.03.19	Rights of Children with Special Educational Needs <i>RNIB</i>
11.03.19	Brexit and Children's Rights Workshops x 2 Chatbot Research Focus Group x 2 <i>Shared Education Event for Schools - Ballymoney</i>
15.03.19	Chatbot Research Focus Group <i>Sacred Heart Grammar School</i>
25.03.19	Chatbot Research Focus Group on Mental Health <i>Beechcroft Patient Group</i>
27.03.19	Chatbot Research Focus Group on Mental Health <i>Beechcroft Patient Group</i>
28.03.19	Rights of Children in Need in the JJC <i>Woodlands JJC staff</i>

Policy Work

APRIL 2018

Compilation of findings and writing of "Greatest Impact - Least Heard: Hearing Young People's Voices on Brexit" report following 7 consultation workshops with 103 young people.

MAY 2018

- Response to the Education Authority's Consultation on "A Case for Transformation - A Proposed Framework of Future Provision for Children in the Early Years with Special Educational Needs"
- Response to the Public Prosecution Service's pre-consultation on "Offenders with a Mental Disorder"
- Presentation on behalf of CLC and CDSA (Children and Disabilities Strategic Alliance) to the All Party Group on Learning Disability on the Education Authority's SEN and Early Years Consultation

JUNE 2018

- Response to the Department of Health and Department of Education "Strategy for Looked After Children: Improving Children's Lives"
- Response to Department of Health Service Framework for Mental Health

- Response to the Public Prosecution Service Consultation on Offenders with Mental Disorder
- Participation on a SEN Expert Panel by 3 All Party groups (Children, Disability and Learning Disability)

JULY 2018

- Response to the Education Authority's "Equality Action Plan and Disability Action Plan 2018 - 2022"

SEPTEMBER 2018

Launch of:

Greatest Impact - Least Heard: Hearing Young People's Voices on Brexit report

Since the EU Brexit referendum in June 2016, the Children's Law Centre has been continually working to ensure that the potential serious adverse impact of Brexit on children is fully addressed in the Brexit negotiations. CLC have been advocating for children's voices to be heard to inform negotiations, that there is no roll back on existing children's rights protections, a recognition of the need to future proof children's rights against international standards and the need to protect the integrity of the Good Friday Agreement; including the need to ensure the equivalency of children's rights

protections in both jurisdictions on the island.

As part of this work, the Children's Law Centre undertook to engage and consult directly with children and young people to ascertain their views in relation to Brexit. In developing this report CLC targeted a diverse range of groups of young people from across the jurisdiction. We held 7 consultation workshops with over 100 young people in attendance.

Discussions with the young people within the consultation workshops were varied and wide ranging, and touched on issues such as European identity, the Irish border, freedom of movement, citizenship, the European Health Insurance Card (EHIC), education, EU funding, social and cultural impacts and opportunities provided by the EU.

Young people put forward 8 key messages to government which included having their say as the negotiations progress; needing child friendly and accessible information about Brexit and its implications; that the unique circumstances of this jurisdiction are taken into account; and the need for minimal changes at the border.

Fourteen recommendations were

subsequently put forward based on an analysis of the views expressed by young people through this research, which included:

- The need for more accessible information on Brexit
- Lowering of the voting age to 16
- Protection of the Good Friday Agreement
- No hard border in Ireland, freedom of movement should not be restricted and the CTA should be maintained between the UK and Ireland
- Protection of citizenship rights post Brexit
- Continuation of EHIC, Erasmus and cross-border health care services

A copy of the full report can be accessed on the Children's Law Centre website: <https://childrenlawcentre.org.uk/images/Final-Brexit-Report-Greatest-Impact-Least-Heard--290618.pdf>

OCTOBER 2018

- Response to NICE guidelines on Preventing Suicide in Custodial Settings

FEBRUARY 2019

- Response to 3rd draft of Department of Health's Codes of Practice for Mental Capacity Act (NI) 2016

CHALKY Freephone advice service

0808 808 5678

Email: chalky@childrenslawcentre.org



CHALKY Issues April 2018 - March 2019

Care	3%
Education	23%
Special Education	48%
Family Law	13%
General	11%
Human Rights/Justice	2%



The Centre's CHALKY advice service has continued to provide high quality legal advice and information to increasing numbers of children, young people, their parents and professionals working with children. During the year from April 2018 to March 2019 the service dealt with some 3395 issues.

Issues raised by clients covered the whole range of legal issues throughout a child's life, from the registration of births, family support and parental responsibility to welfare benefits and mental health. Education issues continued to grow as an area of work accounting for 71% of all issues raised. Special Education is the issue we dealt with most within this category accounting for over 48% of the overall issues total. Other major issues within the Education category included, Exclusions raised 82 times, Admissions, raised 71 times, School Governance raised 110 times, Transport 106 times and discrimination 77 times. Family Law issues accounted for 13% of the total issues with Contact/ Residence issues (236) accounting for just over half the total. The General category accounted for 11% of the total with some of the main issues being Social Security (48), Medical treatment (35), Mental Health (58), Disability (22). Human Rights and Justice accounted for 2% of the total and the Care category 3%.

Administration and Finance

The Administrative team at CLC provide a vital role in the everyday running of the centre and are key in ensuring support structures are in place for future growth.

The Administration team consists of:

Head of Administration & Finance Unit:

Helen Rafferty

Receptionist/Admin. Assistant:

Sarah McAuley

The Administration team provide essential financial planning and reporting structures, assist with planning of CLC annual events including training calendar, CLC's Annual Lecture, seminars and conferences. The team are also critical in providing support for the administrative needs of the entire CLC team.

They have also been strategic in working as part of the senior management team to apply for funding contracts and grants to aid future growth and sustainability of the organisation.

LEGAL SERVICES *for CHILDREN and* YOUNG PEOPLE

CLC legal and advice staff dealt with 3395 issues during the period April 2018 - March 2019. Queries spanned the breadth of children's rights and legal issues with a significant number of calls in relation to education issues and special education in particular. In addition to the broad range of issues and diversity of callers we have experienced over a number of years, we have also received regular calls to CHALKY from staff in the Juvenile Justice Centre (JJC) on behalf of young people in the JJC. Most of these queries are in respect of children who cannot perfect bail because they have no accommodation or are due to leave the JJC but have nowhere to live. Other emerging issues include employment law queries concerning young people whose rights are being infringed in the workplace and immigration law affecting young people, including the implications of Brexit on the immigration status of non-British/Irish EU children living in Northern Ireland and asylum claims for children arriving in Northern Ireland.

Inevitably the increase in calls to CHALKY has resulted in rising requests to CLC for legal advice and representation by and on behalf of children and young people. CLC continues to represent children in the majority of Mental Health Review Tribunals in this jurisdiction and to provide a strategic representation service at the Special Educational Needs and Disability Tribunal (SENDIST). In a small number of strategic cases CLC has initiated Judicial Reviews on behalf of children.

Special Educational Needs and Disability

In the period from April 2018 - March 2019 CLC provided detailed advice, assistance and representation in 44 SENDIST appeals; 42 SEN appeals and 2 Disability Discrimination Claims; all of which led to successful outcomes for children with special educational needs. This constitutes a 52% increase over the period of one year in the number of appeals in which CLC provided detailed advice, support and representation.

In addition to providing representation at SENDIST appeals, CLC achieved a significant number of positive outcomes for children with SEN who were facing barriers in accessing their education. The following are examples of the successful interventions made:

- Secured specified adult assistance for a child with dyslexia and ADHD on transition to secondary school
- Secured a reasonable adjustment in the Education Authority's (EA) application of its school transport policy for a child who required wheelchair accessible transport
- Intervened with the EA to ensure reinstatement of adult

assistance for an autistic child in secondary school; the provision was specified in the child's statement but the child lives in a rural area and provision was regularly disrupted due to challenges in recruitment

- Secured an apology from school and an application for special consideration for a child with autism when a member of school staff refused extra time (already approved by the examining body) in an A-Level Exam. The child achieved highly in his exams
- Assistance provided to parents to submit a complaint to the NI Public Services Ombudsman regarding a school's failure to follow its own policy and to make reasonable adjustments for inclusion of a child with autism in education
- Expedited ASD Assessment for a complex child in co-operation with EA staff to inform future education and health service provision; also secured a referral to CAHMS which had not been progressed by Social Services
- Assisted Social Worker with a change of school placement for a child with complex SEN whose parent has a learning difficulty; child's mainstream school placement had broken down and a special school placement was secured
- Child successfully reintegrated to special school

after a period of mental ill-health

- Hospital discharge planning for a child leaving CAMH's and Severe Learning Disability regional facility; Education Authority and Health and Social Care Trust involved in multi-disciplinary planning including family support package for community care and school transport to special school. Significant negotiation was required by CLC to secure suitable transport and escort for safe travel to and from school
- CLC intervened to secure a special school placement for a primary school child who had been out of school for almost a year without access to any education
- Parental allowance for school transport agreed with the EA for a child whose attendance was variable depending on health

Mental Health Provision for Children and Young People

This year, CLC has continued to provide free legal advice and representation to children wishing to appeal against their hospital detention at the Mental Health Review Tribunal. CLC's Mental Health Solicitor has also provided ongoing legal advice and representation to parents and families of children who are detained for mental health care and treatment, very often relating to the child's hospital discharge

planning and involving detailed negotiations with HSCTs to secure bespoke accommodation and after care support services for successful transitions and rehabilitation to community living. This can be extremely challenging due to the complexity of needs of some of these young people and a limited stock of suitable accommodation and specialist care providers available to work with the young people and their families across all Trust areas.

CLC has also been representing in a number of health related judicial reviews focusing on strategic issues persisting in casework. We continue to represent the majority of children in the regional unit most of whom are delayed discharge patients. The issue of delayed discharge of medically fit patients remains an area of concern to CLC as it impacts detrimentally on children's health, welfare, path to rehabilitation and their family lives. Families are increasingly let down by the lack of timely planning for children being discharged and the apparent unwillingness of duty bearers to work together in the best interests of the child, including for example, the provision of education when the child leaves hospital and transport to and from school while receiving hospital treatment. We remain concerned that there is insufficient support for families, specialist accommodation and support services available in the community for children leaving mental hospital. CLC recommends a more joined up approach by duty bearers and greater emphasis on forward planning to address identified gaps in children's services.

The following is a snap shot of some of CLC's legal work during the period April 2018 -March 2019.

Delayed Discharge Patient - successfully accommodated with community support

This case is a clear illustration of where CLC acted successfully on behalf of the child and their family with the relevant Trust to find a community based solution that will aid the child's rehabilitation and recovery after a period in hospital.

The case concerned a child with learning disability and co-occurring mental health needs. The child's parent approached CLC for legal advice around detention and discharge planning processes. CLC issued pre-action correspondence on the child's behalf and the Trust confirmed that a suitable placement had been identified. Transition plans were drawn up for a supported placement in the community. Staff in the new facility were recruited and received training from staff who were familiar with the child and their individual care needs. The child was successfully moved to the new accommodation. This case was resolved without the need for formal legal intervention. CLC closely monitored the case throughout, attending a series of planning meetings and tracking the child's progress.

Unlawful suspension of Personal Independence Payment (PIP) for children while in hospital

CLC became aware from our casework involving children who are detained for medical treatment under the Mental Health Order (NI) 1986 that some of the children had their PIP benefits stopped following a period of hospitalisation. This is unlawful.

The law relating to Personal Independence Payment entitlement provides that for hospital inpatients **over 18 years**, PIP benefits will cease to be paid after they have been in hospital for 28 days (either in one stay, or several stays, where the gaps between stays are no more than 4 weeks each time). Both the day of admission to hospital and the day of discharge are counted as days out of hospital. **However, this limit on entitlement does not apply if an inpatient is under 18 years on the date of admission to hospital and is already claiming PIP. In the case of children and young people under 18, PIP can be paid for an indefinite period as long as all other qualifying conditions for claiming PIP are met.** If a claim for PIP is made when the patient has already been admitted to hospital, the payments will only commence when you leave hospital.

In a recent case, CLC wrote to the PIP Branch on behalf of a young person whose benefits had been stopped

while they were an inpatient. Following this challenge, the young person received a back payment from the Social Security Agency in respect of the benefits which had not been paid, in the region of £6,000.

In light of this successful outcome and to ensure that other children are not denied their full PIP entitlement moving forward, CLC communicated with Management Staff to clarify the legal position for children who are in receipt of PIP when they are hospitalised to continue to receive their benefits throughout their hospital admission.

Failure to Provide Suitable Accommodation and Pathway Planning to a looked after child when leaving residential care

The young person in this case was accommodated by the Trust and was approaching their 18th birthday. A final LAC Review was held and no accommodation had been identified by the Trust for the child to move to. The Trust's plan for the young person's further living arrangements was to present them to the N.I. Housing Executive and ask for its assistance. There was a high risk that the young person would end up in a hostel or other temporary accommodation.

The Trusts Accommodation Allocation Panel had considered the young person's case. The young person remained on a waiting list for accommodation.

Pre-action correspondence was issued on the young person's behalf. Following CLC's intervention, the Trust identified a suitable placement and the young person moved into this accommodation.

This case raised systemic issues in relation to support for children who require assistance when they are leaving care including training needs for Trust staff and robust monitoring mechanism to ensure that Pathway Plans are regularly reviewed and updated in consultation with looked after children. Through this case CLC also identified that the current joint protocol between the NIHE and the Trusts does not clarify the Trust's duties towards looked after children who are approaching 18 years and are required to leave residential care without accommodation arrangements in place. CLC recommended that the protocol be revised and updated to include clear directions for social workers to ensure consistency in the application of best practice for leaving and after care planning, where children request assistance in accessing suitable accommodation and support.

Representation provided at SENDIST Appeal

The child CLC represented in this case has a diagnosis of ASD and was in the early years of mainstream primary schooling. CLC provided representation at a SENDIST hearing. The appeal was

against the content of the child's statement, which was non-quantified and non-specific and did not guarantee a level of adult assistance to support the child's learning. The appeal was part heard by the SENDIST and settled. The Tribunal agreed to issue an Order once an amendment notice was issued by the EA making changes to the statement as agreed. The amended statement, which was made an Order of the tribunal, included full time designated adult assistance to assist with the child's learning in the classroom and to provide supervision at unstructured times, including school lunchtime. The assistant's support role to the class teacher was clearly set out in the amended statement reflecting the child's special educational needs and school staff were also required to take cognisance of any advice and strategies provided by therapists working with the child addressing sensory support needs. The child's parents were delighted with the outcome of the appeal. The child now has the benefit of full time individual adult assistance to support them to realise their right to education.





STATEMENT OF FINANCIAL ACTIVITIES (INCLUDING INCOME & EXPENDITURE ACCOUNT) for the year ended 31 March 2019

	2019 Unrestricted Funds £	2019 Restricted Funds £	2019 Total Funds £	2018 Total Funds £
Income from:				
Donations and legacies	7,459	-	7,459	1,545
Charitable activities	51,576	540,099	591,675	480,437
Investments	33,716	-	33,716	19,017
Movement in pension provision	(5,258)	-	(5,258)	2,336
Total income	87,493	540,099	627,592	503,335
Expenditure on:				
Charitable activities	40,399	512,019	552,418	563,392
Net income/(expenditure) for the year/ Net movement in funds	47,094	28,080	75,174	(60,057)
Fund balances at 1 April 2018	(22,556)	244,108	221,552	281,609
Fund balances at 31 March 2019	24,538	272,188	296,726	221,552

**BALANCE SHEET
at 31 March 2019**

	2019 £	2018 £
Fixed assets		
Intangible assets	6,294	-
Tangible assets	181,730	187,379
Investment property	270,000	270,000
	458,024	457,379
Current assets		
Debtors	70,705	40,356
Cash at bank and in hand	128,973	81,519
	199,678	121,875
Creditors: amounts falling due within one year	(54,987)	(36,527)
Net current assets	144,691	85,348
Total assets less current liabilities	602,715	542,727
Creditors: amounts falling due after more than one year	(200,914)	(214,722)
Provisions for liabilities		
Defined benefit pension liability	105,075	106,453
	(105,075)	(106,453)
Net assets	296,726	221,552
Income funds		
Restricted general funds	272,188	244,108
Unrestricted funds		
Designated funds	10,165	10,165
Unrestricted general funds	119,448	73,732
Pension reserve	(105,075)	(106,453)
	24,538	(22,556)
	296,726	221,552

INCOME

	2019 Unrestricted Funds £	2019 Restricted Funds £	2019 Total Funds £	2018 Total Funds £
Income from donations and legacies				
Donations	7,459	-	7,459	1,545
Investment income				
Rental income	33,638	-	33,638	18,959
Interest receivable	78	-	78	58
	33,716	-	33,716	19,017
Movement in pension provision				
Movement in pension provision	(5,258)	-	(5,258)	2,336
Income from charitable activities				
Grants receivable				
Department of Health	-	53,977	53,977	53,977
Health & Social Care Board	-	166,905	166,905	156,905
Belfast Health & Social Care Trust	-	48,000	48,000	-
Department of Education	-	50,000	50,000	50,000
BBC Children in Need	-	40,000	40,000	14,100
The Ireland Fund	-	4,994	4,994	3,994
Esmee Fairbairn	-	50,000	50,000	50,000
The Legal Education Foundation	-	57,563	57,563	23,306
Paul Hamlyn Foundation	-	30,000	30,000	30,000
Police Service of Northern Ireland	-	-	-	5,000
Community Foundation	-	-	-	7,560
Allen & Overy Foundation	-	3,000	3,000	3,000
Big Lottery Fund - Awards for All	-	-	-	10,000
Department for Communities	-	15,000	15,000	-
Building Change Trust	-	14,600	14,600	-
Department of Justice - ARCS	-	6,060	6,060	-
Other income				
Income from legal work	39,816	-	39,816	62,779
Membership and training	11,760	-	11,760	9,616
Sale of publications	-	-	-	200
	51,576	540,099	591,675	480,437
TOTAL	87,493	540,099	627,592	503,335





Staff - Children's Law Centre

Paddy Kelly
Director

Kathryn Stevenson
Head of Legal Services

Helen Rafferty
Head of Administration & Finance Unit

Claire Kemp
Policy Officer

Emma Campbell
Training Co-ordinator

Liam Mackle
Advice Manager

Catherine Maguire
Advice Worker

Rachel Hogan
SENDIST Representative

Eamonn McNally
Mental Health Solicitor

Emma Rose Duffy
Apprentice Solicitor

Sarah McAuley
Receptionist & Admin Support

Sessional Youth Support and
Development Worker

Hannah McDevitt
Started 15.1.19



youth@clc Members

Youth@clc Members
April 2018 - March 2019

Saorla White

Orla McGinnity

Lucy McRandal

Jay Martin

Eve Finnegan

Julie Donnelly

Meabh Brolley

Maeve McFall

Ziphius Lilith Mackin

Rachael McMurragh

Dasha Krasnodembskaya

Marcus Chapman

Emilija Budryte

Hollie McHugh

Chris Magee

Ronan Cunningham

Laurie Kennedy

Eimear O'Keefe

Aoibhinn Graham

Sarah Hand

Aron Hughes

Pearse Smith

Maria Thompson

Jennifer McAlpin



CHALKY Volunteers

Volunteers/CHALKY Volunteers/REE

Meadhb Killen

Sinead McSorey

Evi Jenson

Abbey Walker

Arathy Babu

Naomi Cantley

Claire Stevens

Laurie Turner

Mark Gardiner, Baker McKenzie

Ciara Kennedy, Baker McKenzie

Emma Woods, Baker McKenzie

Asta Kochiene, Baker McKenzie

Yasmin El-Hertani, Baker McKenzie

Aoife Caddell, Baker McKenzie

Bogomil Kukovsk, Baker McKenzie

Bobbi Murtagh, Baker McKenzie

Caolan Egan, Baker McKenzie

Christopher Fairfield, Baker McKenzie

Danielle Glenn, Baker McKenzie

Ella Durkin, Baker McKenzie

Emma Flett, Baker McKenzie

Jennifer Devine, Baker McKenzie

John Mallon, Baker McKenzie

Kaitlin Wilson, Baker McKenzie

Kelly Morrison, Baker McKenzie

Konstantinos Kalemis, Baker McKenzie

Megan O'Connor, Baker McKenzie

Niamh Mackin, Baker McKenzie

Orlaith Wilkinson, Baker McKenzie

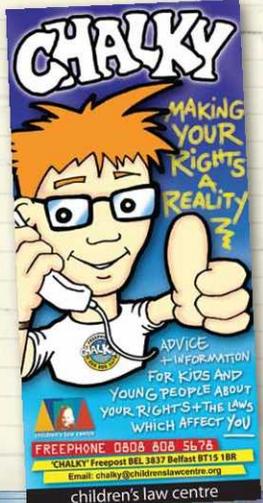
Rachael Goss, Baker McKenzie

Rebecca Gilmore, Baker McKenzie

Sarah Cunningham, Baker McKenzie

Shauna McKee, Baker McKenzie

Sophie Martin, Baker McKenzie



Management Committee

Suzanne Rice
McKeown Solicitors
Left Dec 2018

Vivian McConvey
VOYPIC - left Dec 2018

Lisa Bunting
School of Social Work, QUB
Left Dec 2018

Anne Marie Kelly
MKB Law

David Simpson
Colin Neighbourhood Partnership

Chris Quinn
NIYF

Claire Edgar
Francis Hanna Solicitors
Joined Jan 2019

Kathryn Wilson
Magennis & Creighton - Solicitors
Joined Jan 2019

Paula Rodgers
Include Youth
Joined Jan 2019

