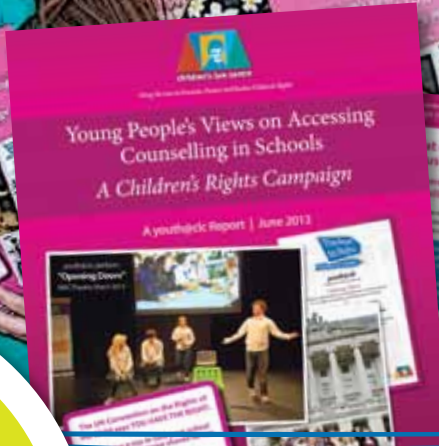


# CHILDREN'S LAW CENTRE

ANNUAL REPORT 2012/2013

USING THE LAW TO PROMOTE, PROTECT AND REALISE CHILDREN'S RIGHTS



children's law centre

The Children's Law Centre is a charity and can accept donations to support our work. If you are a UK taxpayer, Gift Aid your donation and we can claim back an extra 25p from your taxes for every £1 you donate. Donate securely on-line at [www.cafonline.org](http://www.cafonline.org) by selecting Children's Law Centre under "find a charity" or send your donation directly to Children's Law Centre, FREEPOST BEL3837, Belfast BT15 1BR. Children's Law Centre is a company limited by guarantee, No. N133998 | Charity No. XR24365

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### Staff - Children's Law Centre

- David Bothwell**  
(started 3 December 2012)
- Emma Campbell**
- John Patrick Clayton**  
(started 2 July 2012)
- Rachel Hogan**
- Paddy Kelly**
- Liam Mackle**
- Sarah McAuley**
- Anna McBeigh**
- Stephanie McIlroy**
- Ann-Marie McLaughlin**  
(left 30 November 2012)
- Deirdre McMahan**  
(started 6 June 2012)
- Eamonn McNally**
- Helen Rafferty**
- Kathryn Stevenson**
- Natalie Whelehan**

### youth@clc Members

- Giara Brennan**
- Kerry Burns**
- Oliver Byrne**
- Jane Doran**
- Sarah Ferguson**
- Erin Graham**
- Helen Jennings**
- Niamh Kerr**
- Aoife Livingstone**
- Liam Mackle**
- Chris Maguire**
- Niamh McAllister**
- Aoife McDonnell**
- Siobhan McDonnell**
- Caitlin McManus**
- Emma Monaghan**
- Claire Louise Mooney**
- James Murphy**
- Clare Stevenson**
- Niamh Young**



### CHALKY Volunteers

- David Bothwell**
- Claire Devine**
- Ryan Faulkner**
- Eamonn Gallagher**
- Patrick Kearney**
- Maedhbh Mc Quoid**
- Sarah Mulgrew**
- Catherine Maguire**
- Carolyn Rhodes**
- Gillian Smyth**
- Jenny Taylor**
- Michelle Woods**
- Rebecca Woods**



### Management Committee

- Margaret Burke**  
Belfast Health and Social Care Trust  
(left May 2012)
- David Hayes**  
Queen's University, Belfast
- Anne Marie Kelly**  
MKB Law
- Enda Lavery**  
Campbell Fitzpatrick Solicitors  
(from December 2012)
- Chelsea Marshall**  
Save the Children  
(from December 2012)
- Vivian McConvey**  
VOYPIC
- Suzanne Rice**  
Edwards and Co, Solicitors
- David Simpson**





# YOUTH@CLC

## Rights in Action Campaigns Supported by CLC

.....  
*Following on from the launch of CLC's Road to Rights campaigns in March 2011, five youth-led children's rights campaign groups celebrated their achievements, having actively campaigned during 2012 and early 2013.*

In July 2012 **Divis Young Women's Group**, who had participated in CLC's Road to Rights Peer Advocacy Training Programme in 2010, unveiled their mural to highlight the issue of suicide and self-harming by young people in the Lower Falls area of Belfast, at a launch event attended by other young people as well as local political and community representatives. Through this campaign these young women are sending a strong message to government that the provision of community based mental health support services for young people in their area needs to be increased as a matter of urgency.



In August 2012 **Carrickfergus Youth Council**, who had also participated in CLC's Road to Rights programme, completed their report on survey findings relating to community safety issues in the "Love Lane" area of Carrickfergus. Since then they have used their findings and recommendations to lobby local community safety representatives, the PSNI and civic leaders to ensure that appropriate actions are taken to make this area safer and cleaner for all local residents, young and old. By doing so they directly challenged the stereotype that young people have no interest in improving their own environment or engaging with local civic leaders and demonstrated that young people are more likely to be the source of the solution rather than the problem.



The Road  
to Rights

Using Rights for Change



# YOLO

YOU ONLY LIVE ONCE

In September 2012 as part of their Rights in Action campaign, young people from **Quaker Cottage** launched their suicide awareness educational video

“YOLO”, with the aim of making it available for educational purposes in schools and youth groups across North and West Belfast. By doing so these young people are urging schools, communities and decision-makers to face the reality of young people’s lives, reduce the stigma which prevents some young people from seeking timely help for mental health problems and to work together to make sure that all young people get the help they need.



In March 2013 **Young NCB** launched their report, *“Following in their Footsteps: Investigating Young People’s Attitudes to Sectarianism in Northern Ireland,”* after successfully completing a survey of young people’s views on sectarianism.

## NCB REPORT

“FOLLOWING IN THEIR FOOTSTEPS:  
INVESTIGATING YOUNG PEOPLE’S  
ATTITUDES TO SECTARIANISM IN  
NORTHERN IRELAND”



# YOUTH@CLC

## CONSULTATION RESPONSES

**Reducing Offending** - Towards a Safer Society - September 2012

**Priorities for Youth** - Improving Young People's Lives through Youth Work - November 2012.

**CLC survey on young people's experience of discrimination due to age** - March 2013 - youth@clc members completed an online survey on their experiences of being treated differently because they were young. Nearly half of our 14 members reported that they regularly receive negative reactions from adults when trying to access goods and facilities e.g. shopping centres, restaurants, cinema, local parks and leisure centres.

## FUTURE RIGHTS IN ACTION CAMPAIGNS

Youth@clc are currently planning their next campaign. Details of this and updates on outcomes from the Schools Counselling Campaign and future consultations can be found on our new website [www.childrenslawcentre.org/youth@clc](http://www.childrenslawcentre.org/youth@clc)  
Contact Deirdre McMahon - Youth Participation and Advocacy Worker for further information on any aspect of youth participation work at CLC.

# YOUNG PEOPLE'S VIEWS ON ACCESSING COUNSELLING IN SCHOOLS

A Children's Rights Campaign

## SURVEY OF YOUNG PEOPLE'S VIEWS ON ACCESSING COUNSELLING IN SCHOOLS

Between May and November 2012 youth@clc surveyed the views and experiences of 955 Year 11 pupils from 13 post-primary schools in the BELB and SEELB area, in relation to accessing schools counselling. Based on the experience of some of their peers, youth@clc were concerned that some young people may be deterred from seeking help because of the "stigma" associated with going to a counsellor, concerns about confidentiality or for other reasons.





# “OPENING DOORS” at the MAC Theatre

A sample of representative views expressed by both young people and adults over the two nights included:

On 19th and 20th March 2013 in the MAC Theatre, youth@clc presented the findings and conclusions from their research through the medium of drama. In collaboration with Tinderbox Youth Theatre, youth@clc devised a unique drama piece, “Opening Doors”, which was performed over two nights at the MAC to a range of key stakeholders, including young people. Following each performance, the audience participated in discussions on issues raised by the drama and recommended key actions needed to ensure that future counselling service provision is both protected and developed with young people’s views firmly at the centre of all future planning. The Minister for Education, John O’Dowd MLA and Chair of the Health, Social Services and Public Safety Committee in Stormont, Sue Ramsey MLA, heard first-hand what young people had to say about this vital service when they participated in post performance discussions on 20th March. On the night the Minister pledged his commitment to give careful consideration to both the views expressed at the MAC and by the young survey respondents.



**“Make access to counselling, either in school or in community, a statutory right for all children.”**

**“Involve young people in shaping and informing the future range of services.”**

**“Ensure funding is protected and ringfenced to further develop existing services and assist in the development of mental wellbeing.”**

**“Fund courses for teachers...to include fundamentals of counselling so that teachers are better able to support children and work in partnership with counselling services in schools.”**





# Launch of youth@clc's Summary Report on Counselling in Schools

Following on from the stakeholder events at the MAC in March, youth@clc's summary report of findings and recommendations - "Young People's Views on Accessing Counselling in Schools", was launched in the Long Gallery at Stormont by the Minister for Education, John O'Dowd MLA, on 26th June 2013 and was attended by both adults and young people from schools who had participated in the survey. Speaking at the launch event Erin Graham from youth@clc commented:

*"Judging by the response we got at the MAC from young people and adults alike the mental health of young people is very important to everyone!"*

Chris Maguire from youth@clc summarised the findings of the survey in the pre-launch press release by saying:

*"Young people have clearly told us that counselling works but that one size doesn't fit all. We plan to use the evidence from our research to lobby government to make sure EVERY young person gets the mental health support they need, when they need it and for as long as they need it, both in schools and in their communities."*



You have the right:.....to have a say in how your school counselling service should be run...to be **protected** from harm

ght:.....to have a say in how your school counselling service should be run...to be **protected** from harm...to an **education** that develops your **confidence**...to be treated **equally**...to get **support** for your **mental health**





The Minister is currently considering youth@clc's six rights-based recommendations which reflect the views expressed by both the young people in the survey and by stakeholders who attended the MAC events. Through this campaign youth@clc are now calling on all government departments to guarantee to every child their right:

- to have a say in how their school counselling service should be run
- to be protected from harm
- to an education that develops their confidence
- to get support for their mental health needs
- to survive and develop to the maximum extent possible as required by government's ratification of the UNCRC in 1991

Copies of both the summary report and full report "Mental and Emotional Health in Schools - A Survey of Young People's Views on Accessing Counselling in Schools" (July 2013) is available by contacting CLC.



...to be treated **equally**...to get **support** for your **mental health** if you need it...to get **extra help** because of your disability, ethnic background or sexuality...to get information on mental health..... You have the right.....to have a say in how your school counselling service should be run...to be **protected** from harm...to an **education** that develops your **confidence**...to be treated **equally**



# Director's Report

The MAC Theatre, Belfast, 20th March 2013, was one of those electric evenings when there was genuine engagement between young people and those who make decisions about their lives. The room was charged with energy. The young people performing and those in the audience challenged, in the most powerful way, a very receptive Minister for Education to listen to their voices and most importantly act on what he was hearing. If you were privileged enough to be there you got an insight into the potential and power of proper realisation of Art. 12 of the UNCRC - the right of children and young people to form their views, express their views and be listened to in all matters affecting them. Having worked on children's rights for most of my adult life it stands out as one of those memorable "coming together" events, which shone a light on what might be if the political will was there. So what happened.

Building on training youth@clc members received through the Children's Law Centre's Road to Rights Campaign, the group identified a shortfall in counselling provision in schools and concerned about the impact of this decided they wanted to campaign for better and more appropriate provision. This focus by youth@clc on the rights of children with mental health needs reflects CLC's ongoing concerns about the paucity of child and adolescent mental health services (CAMHS) in this jurisdiction. Youth@clc undertook peer research with 955 year 11 young people from 13 schools in the greater Belfast area. The schools were reflective of the diversity of post primary provision. This was one of the largest pieces of youth peer research undertaken in Northern Ireland. Youth@clc wanted to know the scale of the need for school counselling and if what was being provided met the need.

The answers that came back were loud and clear. One of the strongest and most positive messages was that young people's mental health was important to both young people and adults. The recognition at a political level that this is one of the key issues for young people in 2013 is critical in ensuring decision makers take seriously their duties to support young people to enjoy good mental health. The other key message was stark - mainly because it was so manifest - yet in the delivery of school counselling



services most of the adult designed services had ignored it. The message was simple - one size does not fit all. Taking these and the other messages from the 955 young people, youth@clc, supported by Tinderbox Youth Theatre, crafted a powerful dramatic and challenging representation of the experiences of those young people who had engaged in the research. It was this play that the Minister of Education, John O'Dowd MLA and the Chairperson of the Health Committee, Sue Ramsey MLA were invited to respond to in an after performance discussion on 20th March 2014. What ensued was in many ways a vindication of all that CLC represents - Children's Rights in Action!

The young people felt they were listened to by the politicians and were encouraged by their responses. Neither MLA was dishonest about the challenges of effecting change; including of developing joined up services across Departments or of resourcing the need, but a commitment to address the challenge was made. The follow up engagement between the Minister and members of youth@clc, including a formal meeting and the sponsoring of the launch of the report by the Minister in Parliament Buildings, has built on that commitment. Youth@clc's resolve to follow through on this important children's rights issue at Ministerial and Departmental level is not in doubt.

This focus on the part of youth@clc is timely given the ongoing

development of the proposed new mental health legislation, which will discriminate against our most vulnerable children. At the time of compiling this Annual Report, in total contravention of the Bamford Review of Mental Health and Learning Disability recommendations and against all the children's rights advice given to them by CLC and others, the Department of Health, Social Services and Public Safety and the Department of Justice are proposing to retain the provisions of the Mental Health (NI) Order 1986 for the compulsory care and treatment of under 16s and to exclude all under 16s from the scope of the Mental Capacity (Health, Welfare and Finance) Bill. It is CLC's view that this new policy position represents a discriminatory and regressive step and significantly undermines the rights of citizens who are under 16, their parents and carers. CLC's Mental Health Solicitor represents in the vast majority of Mental Health Appeal Tribunals that go to hearing in this jurisdiction and he provides an invaluable service to many more vulnerable children with mental health and other complex needs. The children he works with and for, and their parents are entitled to the rights and protections it is proposed will be included in the new Bill and



should not be denied these solely on the grounds of their age. If we as a society are serious about meeting the needs of the 20% of our children with mental health needs affording the most vulnerable of them the same protections as adults enjoy should be a given.

Mental Health is only one of the many issues on which CLC staff and young people have been working on this year. The information

contained in this report reflects the diverse areas of children's lives on which CLC have sought to shine a children's right light. However the challenges we face in ensuring equality of protection in law for children with mental health needs in the proposed new legislation does reflect the uphill challenge children's rights advocates face in this jurisdiction in 2013, undermining as it does





# Chairperson's Report



the very concept of the child as a rights holder and the General Principles of the UNCRC. As always CLC staff, youth@clc, volunteers and Management Committee will remain focused on working to protect and promote the rights of all children without discrimination and will continue to do it in their own inimitable and innovative way.

This year saw a number of staff leave CLC for different pastures. We said a sad

goodbye to Ann-Marie and Anna. Congratulations to Ann-Marie and Gerard on Maddie's birth and nuptial congratulations to Anna. Congratulations also to Natalie and Shane on Mae's birth and Eamonn and Eileen on Elana's birth. We were very lucky to welcome to CLC three new members of staff. David has joined us to fill the post vacated by Ann-Marie, John Patrick is working alongside Natalie in Policy and Deirdre since joining us has undertaken amazing work with youth@clc.

As Director of CLC it remains my privilege to work with such a committed and dedicated group of staff, young people, volunteers and Management Committee who continue to challenge and inspire. My thanks go out to all of them and to CLC's funders and supporters, of which there are many. I would particularly like to record my personal thanks to CLC's small staff Management Team and Management Committee who have provided huge support in what has been a very challenging year for the Centre. I am also totally indebted to my PA Stephanie, who keeps me right! Reflecting above on the work of youth@clc supported by CLC staff, affirms my long held view that to do my job is a privilege and reassures that in the midst of seemingly overwhelming challenges there are fires alight heralding real potential for positive change in children's lives.

**Paddy Kelly**  
DIRECTOR

**Reading the contributions from staff to CLC's Annual Report for 2012-2013 it occurs that regrettably the need for CLC and the work it undertakes has significantly increased in recent years. Even a summary consideration of the profile of children in this jurisdiction alongside the continuing deficit in the delivery of their rights, cries out for an organisation like CLC which has an overview of the entirety of the lives of children and the multi-disciplinary approach to effect real challenge. The breadth of issues on which CLC works is reflected in the diversity of its policy engagement which in turn is informed by its legal work, training and the incomparable and challenging youth@clc.**

Of Northern Ireland's population of 1.811 million, 23.84% are children, of which over 20% suffer significant mental health problems comprising the commonest form of severe disability in childhood. As the Director of VOYPIC, an organisation which works closely with CLC on behalf of children with mental health needs, it is my view that CLC remains the lead NGO vindicating the rights of these most vulnerable children, while advocating to ensure anticipated legislation better protects children as opposed to further disadvantaging these most vulnerable children.

At 30th September 2011, 1,838 children and young people had been looked after continuously by the state for 12 months or longer. Three quarters of looked after children were of school age, 25% of whom had a statement of Special Educational Needs (compared to 4% for the general school population). Alongside my own organisation, CLC continues to challenge the discrimination and disadvantage suffered by care experienced children. I particularly commend them for their ongoing work highlighted in this report, in ensuring duty bearers properly discharge their duties under Art. 21 of the Children (Northern Ireland) Order 1995 to support vulnerable homeless children as children in need.

At least 25% of the school population in Northern Ireland has a barrier to learning. Figures from the Northern Ireland school census show that for the 2012/2013 school year, 21% (over 70,000 children) of the school population are on the Special Educational Needs (SEN) register. CLC continues to provide the only free dedicated legal advice, information and representation service at Tribunal for children with SEN, while engaging at Departmental level to ensure that the SEN legislation delivers for children. The excellent training provided by CLC focusing on the rights of children with SEN and mental health needs has undoubtedly impacted on and influenced the thinking of those attending, who include parents, professionals and duty bearers.

There are approximately 50,000 children, which constitutes nearly 12%

of children, currently living in severe poverty in Northern Ireland. These figures combined with the significant fiscal cuts to children's services has unsurprisingly resulted in the demand for the service provided through the Children's Law Centre's freephone advice line exceeding capacity.

The high regard in which CLC is held domestically and internationally was reflected in the Centre's prestigious 2013 Annual Lecture which was chaired by Mr Justice McCloskey and delivered to a very enthusiastic and appreciative audience by the Chair of the UN Committee on the Rights of the Child, Dr Jean Zermatten. The occasion of Dr Zermatten's visit gave rise to meetings with the Ministers for Health, Justice and Education and the two OFMDFM Junior Ministers with lead responsibility for children. The focus of these meetings was the approaching periodical report to the UN Committee on the Rights of the Child and the outstanding requirement on the Executive to address the Committee's 2008 Concluding Observations. CLC in partnership with Save the Children will again lead the NGO sector in Northern Ireland in preparing the Alternative NGO report in advance of the periodical examination. That report, which I am confident will also be significantly shaped by children's voices, will undoubtedly inform the Committee as to the challenging reality of children's lives here. When drafting the Alternative Report Dr Zermatten's words, which reflect the challenges in which CLC engage when seeking to vindicate the rights of children, will no doubt echo through:

*"States parties have the primary obligation to recognize the new status of the child and therefore must refrain from limiting the possible enjoyment of the substantive rights by children both in direct actions or when undertaken by their representatives. They are obliged to protect this new status and take positive action to promote the child as a rights holder and facilitate the exercise of these rights. Specifically, this obligation should be observed in all measures of implementation, including legislative and administrative measures, by raising awareness among adults, training professionals working with and for children and ensuring that children are the agents of change and actors of their own lives." - Dr Jean Zermatten, Chairperson UN Committee on the Rights of the Child, CLC Annual Lecture 21 February 2013, Belfast.*

**Vivan McConvey**  
CHAIRPERSON



# TRAINING & EDUCATION

2012/2013 WAS YET ANOTHER BUSY YEAR FOR CLC'S TRAINING TEAM. A TOTAL OF 748 ADULTS AND 169 YOUNG PEOPLE ENGAGED IN TRAINING OR WORKSHOPS ON CHILDREN'S RIGHTS DELIVERED BY CLC STAFF DURING THIS PERIOD.

As well as continuing to raise awareness of government's current legal obligations to children and young people across a range of recurring themes, last year's training events also focused on emerging policy and legislative developments in relation to mental health, youth justice and the rights of homeless 16 and 17 year olds. Against the backdrop of ongoing public sector cuts, all our training events continue to highlight the deficit in "rights-based" service provision for our most vulnerable children and young people and the pressing need for full incorporation of the UNCRC in this jurisdiction.

## MENTAL HEALTH

This year has seen a significant increase in delivery of tailored training, to a diverse range of agencies, on the implications of the proposed Mental Capacity (Health, Welfare and Finance) Bill for children and young people. These included the Mental Health and Learning Disability Alliance, the Regulation and Quality Improvement Authority (RQIA), child and adolescent mental health practitioners in Beechcroft - Inpatient facility, the Royal College of Psychiatrists and political parties.

In line with our ongoing strategic priorities in both policy and legal work, CLC will continue to provide mental health awareness raising events throughout 2013/2014 with the ongoing aim of ensuring better legal protections for under 16s in the new legislative framework for mental health.

*"Excellent background information in relation to under 16s and EQIA screening"*

(Mental Capacity Bill and Youth Justice - November 2012)

## HOMELESS YOUNG PEOPLE

Following on from CLC's successful JR66 case, our legal team delivered a number of awareness raising seminars to provide relevant agencies with clear guidance on the implications of

the JR66 judgment and to ensure ongoing compliance with the revised "Regional Good Practice Guidance on Meeting the Accommodation and Support Needs of 16-21 Year Olds".

*"As a Tenancy Support Manager working with young people, all of this information was invaluable and has addressed many of the relevant issues arising at present."*

(The Rights of Homeless Young People - January 2013)

## YOUNG PEOPLE AND THE POLICE

2012/2013 has also seen an increase in training requests on young people's "stop and search" rights from schools and youth groups across all areas of Belfast. A joint PSNI/CLC initiative to provide both police officers and young people with accessible information on "stop and search" rights is scheduled for launch in 2013. In addition CLC's revised Policing Leaflet from our "Do You Know Your Rights" series will also be available to young people next year via our new website and in leaflet form.

*"Complete Training Programme...Delivery Excellent... Excellent opportunity to interact and discuss issues relevant to our work"*

(Family Policy Unit rep)

*"...would like further discussion around how UNCRC can link to safeguarding of children and how these considerations should be at the heart of assessments..."*

(Safeguarding Board NI rep)  
(Children's Rights are Human Rights - December 2012)

Comments from participants attending training events when asked: 'What was most useful about the training?'

## TAILORED TRAINING/CONFERENCES

DATE	COURSE
24 May 2012	Children's Rights Workshop
18 June 2012	Children's Rights in Respite Care
14 August 2012	Article 21 - Rights of Homeless 16/17 Year Olds for Service Managers
20 August 2012	Children's Rights in Early Years
25 September 2012	Assessing Competency of the Child
27 September 2012	Mental Capacity (Health Welfare and Finance) Bill
27 September 2012	Rights of Autistic Children
10 October 2012	Children's Rights in Custody
10 November 2012	Mental Health and Youth Justice workshop
15 November 2012	Mental Health and SEN
19 November 2012	Meeting the Needs of Homeless Young People: Duties under the Children (NI) Order 1995
28 November 2012	Living in Safety and with Stability - "Integrated Outcomes Based Planning to Improve Children's Lives in NI"
10 December 2012	Children's Rights workshop
24 January 2013	Mental Capacity (Health Welfare and Finance) Bill and Children's Rights
29 January 2013	Children's Rights and Youth Work
1 February 2013	Proposed Mental Capacity (Health Welfare and Finance) Bill
5 February 2013	Policing Conference
12 February 2013	Children's Rights Workshop
21 February 2013	CLC Annual Lecture 2013 - "The CRC: A Legally Binding Instrument. Obligations on State Parties" Dr Jean Zermatten, Chairperson of the UN Committee on the Rights of the Child
26 February 2013	Stop and Search - Young People's Rights

## TRAINING CALENDAR

DATE	COURSE
25 April 2012	Child's Right to Family Life and Privacy
13 June 2012	Mental Health Law, Policy and Practice
20 June 2012	Children's Rights are Human Rights
24 October 2012	Special Educational Needs
7 November 2012	Special Educational Needs
28 November 2012	Mental Health and Youth Justice
7 December 2012	Children's Rights are Human Rights
30 January 2013	Rights of Homeless Young People
27 February 2013	Special Educational Needs



# POLICY WORK

This year saw the expansion of CLC's policy function with the welcome recruitment of John Patrick Clayton to the post of Assistant Policy Officer. CLC's policy work continues to work to influence the development and implementation of legislation and policies to ensure that they uphold the rights of children and young people in Northern Ireland and are compliant with government's obligations under domestic and international children's rights standards, including the UNCRC. Through successful policy work CLC has improved the lives of all children and young people in this jurisdiction by ensuring increased children's rights compliance in new and amended government policies and legislation. CLC's policy unit is strategically integrated across the organisation, working closely with CLC's legal unit, training function and CLC's youth group, youth@clc.

CLC's policy work reflects the overall organisational strategic priorities, particularly in the areas of youth justice and policing, child and adolescent mental health and education. The development of the Mental Capacity (Health, Welfare and Finance) Bill has been a major priority for the policy work of CLC over the past year, with a specific focus on ensuring the proposed legislation will afford extremely vulnerable children and young people with mental ill health or learning disabilities the maximum protections and safeguards. CLC's Mental Health Solicitor and Policy Officer gave written and oral evidence to the Committee for Health, Social Services and Public Safety in May 2012, informing the Committee about CLC's concerns for this extremely vulnerable group of children if they are excluded from the scope of the legislation. CLC continues to work to influence the legislation to ensure the maximum protection of children with mental ill health or learning disabilities both in civil society and the criminal justice system, in line with the Government's obligations under the UNCRC and in compliance with the Bamford Review proposals.

The ongoing Review of Youth Justice in Northern Ireland remains a significant area of policy work for CLC. While CLC remains of the view that the Review undertaken is not compliant with the Hillsborough Agreement, CLC has worked closely with partner children's organisations and the Department of Justice (DoJ) to secure significant gains in the field of youth justice. CLC has played a pivotal role in securing an amendment to government policy to remove all children from detention in Hydebank Wood Young Offenders Centre. CLC continues to press the DoJ to guarantee this policy change in legislation. CLC has also informed Government proposals to amend the aims of the youth justice system to include the best interests of the child as a primary consideration and has worked extensively with both the DoJ and the PSNI in influencing various policies aimed at speeding up justice in children's cases. These include the use of PSNI Discretion, Speedy Justice and the DoJ's Youth Engagement Pilots.

Other priority areas over the past year include the ongoing review of the legal aid system where CLC's policy and legal teams have jointly made representations to policy makers and responded to consultations to ensure the protection of the child's autonomous right to legal advice and representation. CLC has also worked very closely with both the Office of the Police Ombudsman for Northern Ireland (OPONI) and the DoJ on the future operation of OPONI, with a particular focus on ensuring equal access to the Office and its independent complaints mechanism for all children, regardless of their age.

## KEY POLICY RESPONSES MADE IN 2012-2013

- Response to the Department of Justice's Consultation on Encouraging Earlier Guilty Pleas (April 2012)
- Response to the South Eastern Education and Library Board's Consultation on its Draft Development Proposals 228 - 231 for Learning Support Units and the Relocation of Special Units from Knockmore Primary School to 4 alternative schools (May 2012)
- Submission to the Department of Justice's Consultation on the Future Operation of the Office of the Police Ombudsman for Northern Ireland (June 2012)
- Response to the Green Party in Northern Ireland's Consultation on its Proposals for a Private Member's Bill to Introduce a Statutory Duty to Co-operate on Government Departments in the Planning, Commissioning and Delivery of Services to Children in Northern Ireland (June 2012)
- Response to the OFMDFM Consultation on "A Strategy to Improve the Lives of Disabled People 2012-2015" (August 2012)
- Response to Speeding Up Justice: A Blueprint for improving processes for youth cases (September 2012)
- Response to Northern Ireland Prison Service Estate Strategy 2012 - 2022 (September 2012)
- Response to the Commission on a Bill of Rights: A Second Consultation (September 2012)
- Response to the Department of Justice Reducing Offending: Towards a Safer Society Consultation (October 2012)
- Response to Department of Justice Consultation on proposals to extend Mental Capacity Legislation to the Criminal Justice System in Northern Ireland and implications for Mental Health Powers (October 2012)
- Response to the Northern Ireland Law Commission Consultation Paper "Unfitness to Plead" (October 2012)
- Response to Department of Education Consultation on Priorities for Youth - Improving Young People's Lives through Youth Work (December 2012)
- Response to Department of Education Consultation Learning to Learn: A Framework for Early Years Education & Learning (January 2013)
- Response to the Police Service of Northern Ireland's Equality Impact Assessment on Alcohol Test Purchasing Procedures (March 2013)
- Response to the Police Service of Northern Ireland's Equality Impact Assessment on Speedy Justice (March 2013)
- Submission to the Northern Ireland Policing Board on its Draft Human Rights Thematic Review: Policing with Children and Young People Update Report (March 2013)
- Response to Department of Justice Consultation Reform of publically funded legal representation in the Civil and Family Courts (March 2013)
- Response to the DHSSPS Consultation on the Draft Cross-Departmental Autism Strategy (2013-2020) and Action Plan (2013 - 2015) (March 2013)

## COMMITTEE EVIDENCE

- Written Evidence to the Committee for the Office of the First Minister and Deputy First Minister into Historical Institutional Abuse Bill (August 2012)
- Written Evidence to the Committee for Health, Social Services and Public Safety on the Mental Capacity (Health, Welfare and Finance) Bill (May 2012)
- Oral Evidence to the Committee for Health, Social Services and Public Safety on the Mental Capacity (Health, Welfare and Finance) Bill (May 2012)
- Written Evidence to the Committee for Justice on DNA and Fingerprint retention Proposals (August 2012) Oral Evidence (October 2012)











# CHALKY

## ADVICE SERVICE

FREEPHONE 0808 808 5678

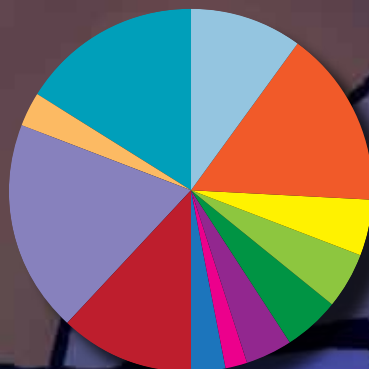
'CHALKY' Freepost BEL 3837 Belfast BT15 1BR

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CLC's CHALKY advice service continues 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 2012 to March 2013 the service dealt with some 2054 issues.

Issues raised by clients covered the full range of legal issues which can arise throughout a child's life, from the registration of births and parental responsibility, to benefits and accommodation options for 16 and 17 year-olds. Education issues accounted for 38% of all issues raised; with special education the issue we dealt with most within this category accounting for over 19% of the overall issues total. This constitutes an increase of 2% on the previous year. Other major issues within the education category included pupil welfare, raised 66 times, admissions, raised 70 times and school exclusion, 58 times. Family law issues accounted for 31% of the total issues with contact/residence issues (327) accounting for just over half the total. The general category accounted for 21% of the total with some of the main issues being social security (51), child protection (42), mental health (55), and At What Age? (18). Human rights and justice issues accounted for 5% of the total and the care category 5%. There were also 77 (4%) requests for information during the year.



CHALKY Issues April 2012 - March 2013

Other Family Law	10%
Contact/Residence	16%
Parental Responsibility	5%
Care	5%
Human Rights/Justice	5%
Information	4%
Social Security	2%
Mental Health	3%
Other General	12%
Special Education	19%
Admissions	3%
Other Education	16%



## My name is Patrick, I am 16 years

I go to a local grammar school. I am dyslexic and have been given assistance at my school for the past 5 years. I always found the school very supportive with my disability. When I received my GCSE results I was called up to the school for a meeting with my principal and vice-principal. I had not managed to pass my Maths GCSE and was told that it would be better for me to study just 2 A-Levels. I then had the intention of studying Government and Politics and History. I had wanted to study A Level Politics as I had a great interest and a passion for this subject. I had achieved a B in English Language which met the course entry criteria. However when coming back to school in September I was told I was only allowed to study History and Religious Studies. The reason I was told I could not study politics was because it involved "intense reading". I felt that my dyslexia was being stereotyped as I am an avid reader and would read many newspapers and books. I felt that I was almost being discriminated against due to my difficulty. I felt greatly disappointed and thought I had not been given the opportunity to have a say in this matter. I went along with studying Religion instead of politics, but I found I was not enjoying the course in Religion and became angry and frustrated at not studying politics, a subject which I have a passionate interest in. I thought I may as well be allowed to study two subjects which I enjoy than one I do and one I don't. I discussed the matter with my parents and they shared my discontent with this matter. We both felt that I was being denied a free choice. My father suggested that I contact the Children's Law Centre. I agreed with him and we got in touch with them. Almost immediately I was called down to the centre in Belfast, where I met with my legal representative. We discussed the events which had occurred previously and she agreed that I was being treated differently because of my disability. She then told me to leave it with her and she would help me resolve the problem. She then wrote a letter to my principal asking for information about his decision on my A-Level choices and a meeting was arranged to discuss the issues. Shortly afterwards, my legal representative called me up to say that the matter had been resolved and that I was allowed to study Politics. I am now studying Politics and History and very much enjoying them both. Before I went to the Children's Law Centre I felt I didn't have a voice in decisions which the school were making which would affect my future. I was extremely happy with how quickly the Children's Law Centre advised me of my rights, resolved my problem and voiced my opinion on the matter.

## ADMINISTRATION & FINANCE UNIT

The small administrative team at CLC continue to underpin all the work of the Centre, enabling other staff to champion children's rights and protect the rights of the most vulnerable citizens. Careful financial planning and budget management have always been key to maintaining and increasing the funding for the Centre and in the current economic climate this will become even more vital given increasing costs and a challenging funding environment. The Administration and Finance team continue to promote CLC work through assisting with training, lectures and seminars.

### The Administration team consists of:

Head of Administration & Finance Unit - **Helen Rafferty**,  
 Receptionist/Admin. Assistants - **Ann-Marie McLaughlin** (until November 2012) **Sarah McAuley** and newly appointed **David Bothwell**, supported by Personal Assistant to the Director and Head of Legal Unit - **Stephanie McLroy**

We take this opportunity to firstly say congratulations to Ann-Marie our long serving Receptionist/Administrative Assistant on the birth of her 3rd baby - another beautiful little daughter named Maddie and secondly to wish her a very fond farewell as she has decided to hang up on switchboard for the last time, after 11 devoted years of service and become a full-time Mum. We greatly appreciate her highly valued and inspirational contribution to the Centre. She will be missed. We also welcome the appointment of David to his job sharing role with Sarah. A great duo, already working seamlessly in their roles as Receptionist/Administrative Assistant.

The team are always on the lookout for new ways to improve our service, reduce overheads and increase and diversify funding and we very much look forward to the meeting the challenges a new year at Children's Law Centre will bring.







**STATEMENT OF FINANCIAL ACTIVITIES (INCLUDING INCOME & EXPENDITURE ACCOUNT)**  
for the year ended 31 March 2013

	2013 Unrestricted Funds £	2013 Restricted Funds £	2013 Total Funds £	2012 Total Funds £
<b>Incoming resources</b>				
<b>Incoming resources from generated funds:</b>				
Voluntary income:				
Donations and grants	20,383	-	20,383	21,760
Investment income	9,170	-	9,170	7,276
<b>Incoming resources from charitable activities:</b>				
Grants received	-	558,732	558,732	574,688
Other income	14,164	10,043	24,207	66,548
<b>Total incoming resources</b>	<u>43,717</u>	<u>568,775</u>	<u>612,492</u>	<u>670,272</u>
<b>Resources expended</b>				
Charitable activities	23,587	556,944	580,531	621,248
Governance costs	-	2,550	2,550	2,520
Total resources expended	<u>23,587</u>	<u>559,494</u>	<u>583,081</u>	<u>623,768</u>
<b>Net incoming resources for the year</b>	20,130	9,281	29,411	46,504
Transfer between funds	-	-	-	-
<b>Net incoming resources after transfers/net income for the year</b>	20,130	9,281	29,411	46,504
Total funds brought forward at beginning of year	186,268	114,784	301,052	254,548
<b>Total funds carried forward at end of year</b>	<u>206,398</u>	<u>124,065</u>	<u>330,463</u>	<u>301,052</u>

The above Statement of Financial Activities includes all information as required to be disclosed by the Companies Act 2006 and includes all recognised gains and losses.

All of the activities of the company are classed as continuing.

There is no difference between the net incoming resources for the year stated above and their historical cost equivalents. The company has no other recognised gains or losses and therefore no separate statement of total recognised gains and losses has been presented.

**BALANCE SHEET**  
at 31 March 2013

	2013 £	2012 £
<b>Fixed assets</b>		
Tangible assets	<u>22,168</u>	<u>27,717</u>
<b>Current assets</b>		
Debtors	16,089	11,222
Cash at bank and in hand	<u>293,644</u>	<u>367,502</u>
	309,733	378,724
<b>Creditors - amounts falling due within one year</b>	<u>(1,438)</u>	<u>(105,389)</u>
<b>Net current assets</b>	<u>308,295</u>	<u>273,335</u>
<b>Net assets</b>	<u>333,463</u>	<u>301,052</u>
<b>Funds</b>		
Unrestricted general funds	118,975	109,182
Designated redundancy reserve	87,423	77,086
Restricted funds	<u>124,065</u>	<u>114,784</u>
<b>Total funds</b>	<u>330,463</u>	<u>301,052</u>

The financial statements have been prepared in accordance with the special provisions of the Companies Act 2006 relating to small companies.

**A complete set of the Children's Law Centre audited accounts for 2012/13 is available on request.**



**INCOMING RESOURCES**

	2013 Unrestricted Funds £	2013 Restricted Funds £	2013 Total Funds £	2012 Total Funds £
<b>Voluntary income:</b>				
<b>Donations and grants</b>				
Donations	<u>20,383</u>	-	<u>20,383</u>	<u>21,760</u>
	<u>20,383</u>	-	<u>20,383</u>	<u>21,760</u>
<i>Activities for generating funds:</i>				
<b>Investment Income</b>				
Bank interest	<u>9,170</u>	-	<u>9,170</u>	<u>7,276</u>
<b>Incoming resources from charitable activities:</b>				
<b>Grants received</b>				
Department of Health, Social Services and Public Safety	-	71,969	71,969	71,969
Health and Social Care Board	-	110,873	110,873	109,985
The Atlantic Philanthropies	-	362,250	362,250	368,500
Children in Need	-	-	-	19,199
Big Lottery Fund	-	8,640	8,640	-
Community Foundation NI	-	-	-	4,000
Lloyds TSB	-	-	-	830
King George Award	-	-	-	205
Public Health Agency	-	5,000	5,000	-
	-	558,732	558,732	574,688
<b>Other Income</b>				
Sales	10,450	-	10,450	11,951
NI Legal Services Commission income	-	10,043	10,043	54,597
Insurance claim	<u>3,714</u>	-	<u>3,714</u>	-
	<u>14,164</u>	<u>10,043</u>	<u>24,207</u>	<u>66,548</u>
<b>TOTAL</b>	<u>43,717</u>	<u>568,775</u>	<u>612,492</u>	<u>670,272</u>