

CHILDREN'S LAW CENTRE
ANNUAL LECTURE
2009

"Children's Rights - A Foundation for Peace"



President of Ireland, Mary McAleese

Chair
Professor Denis Moloney

Belfast, Tuesday 27th January 2009





children's law centre

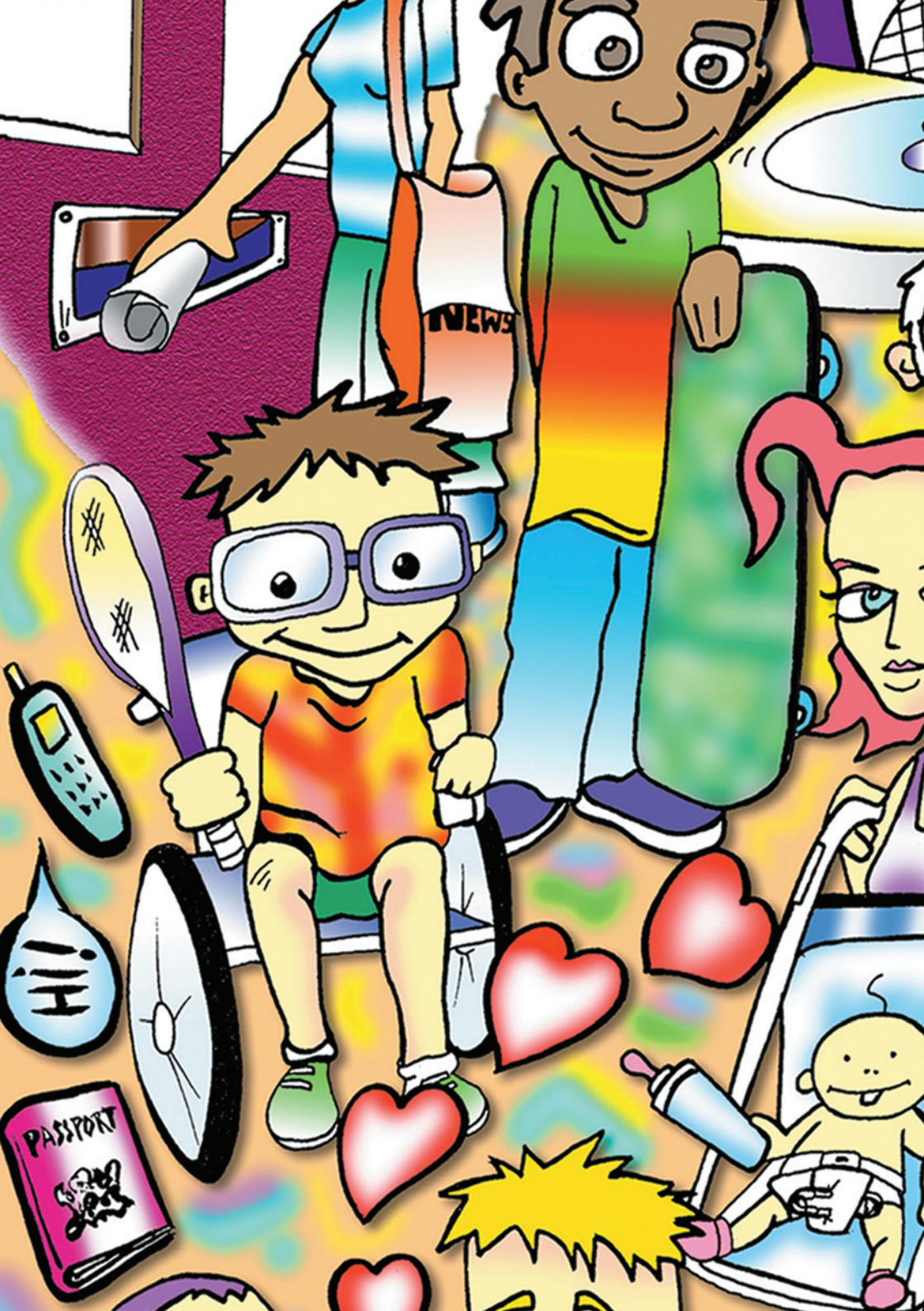
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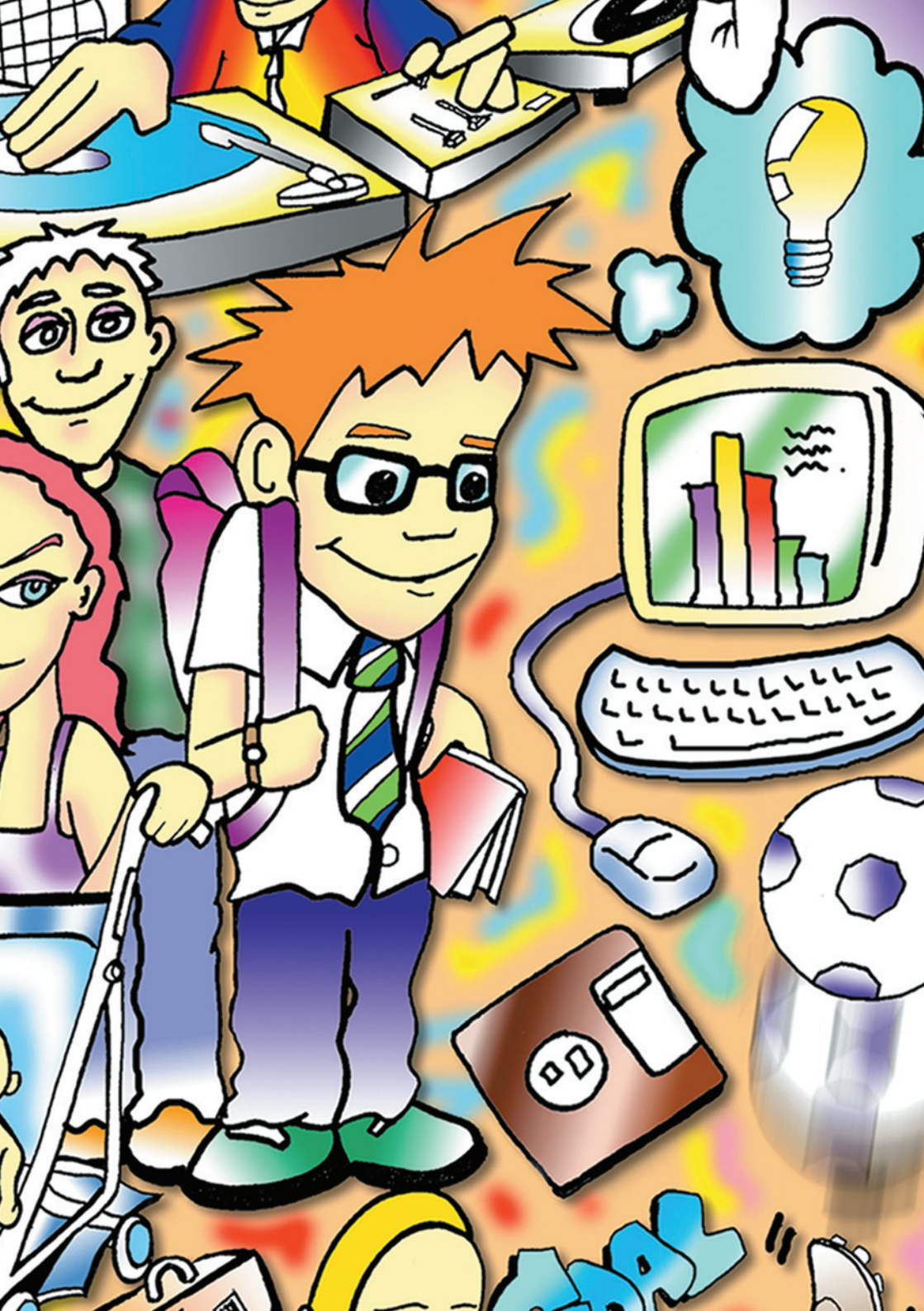
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ANNUAL LECTURE WELCOME

Paddy Kelly
Director, Children's Law Centre

President McAleese, Dr. McAleese, may I, on behalf of everyone at the Children's Law Centre and our friends and colleagues here today, welcome you to this beautiful building and this our 4th Annual Lecture. President McAleese, we are extremely grateful that you have honoured the Children's Law Centre by agreeing to deliver our 2009 Annual Lecture.

President, when you spoke in Belfast in August 2006 at the excellent conference organised by Mr. Justice Gillen, you stated that "the United Nations Convention on the Rights of the Child provided a minimum set of standards against which to test law, policy and practice as it affects children but that the Convention is only as useful a protection as people like to make it, turning words into action and aspirations into lived reality." That is what we try to do at the Children's Law Centre. We work to turn the Articles of the Convention into action and to make the rights enshrined in it a living reality for all children and young people.

By your presence here today President you are a voice for our many voiceless children whose rights we seek to realise but who, as I speak in this your home city, are being denied their rights - including for some children the most fundamental of rights. On their behalf may I say "thank you for giving them a voice".

President McAleese you declared your hope that "the achievement of full human rights for children will be seen as the principle challenge of the 21st century". Following on from the UN Committee on the Rights of the Child's recent Concluding Observations and in the context of global recession it is imperative that we do not lose sight of our most vulnerable citizens and continue to work to make your hope a reality and their rights real. The delivery of children's human rights will continue to be the focus of the Children's Law Centre. By delivering our Annual Lecture President you have re-energised us, and I am sure many others here today, in that considerable task - thank you for that.

Before I hand over to Professor Denis Moloney, who will formally introduce today's lecture may I thank the Chief Executive of the Belfast Harbour Commissioners for allowing us the use of this magnificent building and may I say a very big and a very warm thank you to Professor Moloney who has been a great friend to the Children's Law Centre. Denis we are deeply indebted to you.

Thank you very much

“Children’s Rights - A Foundation for Peace”

President of Ireland , Mary McAleese

Good afternoon everyone and thank you very much for that warm welcome. It is good to be back in my home city in these days of peace and progress and particularly good to be back among so many old friends from the Children’s Law Centre. I would like to thank Paddy Kelly, Director of the Centre, for her kind invitation to deliver the Centre’s Annual Lecture.

Mahatma Gandhi once said “If we wish to create a lasting peace we must begin with the children”. It’s a profound and very disturbing assertion which is echoed in the title of this talk “Children’s Rights – A Foundation for Peace.”

Regrettably there are all too many regular reminders that there are hearts hard enough to disregard children’s rights, to hurt children in their homes, in care institutions, in schools, in peer groups, in the company of trusted adults who are supposed to care for them, in cultures where they are forced to work instead of play, in countries where they are sexually enslaved or conscripted into armies or paramilitary forces when they should be in school, to say nothing of the predatory strangers who would exploit and take advantage of childish ignorance and innocence. How often does it happen that some grow up to be the bully and others the bullied?

The old proverb says it with chilling accuracy “What is learnt in childhood is engraved on stone.” How is a child to know his or her own helplessness? How is a child to know what is right and what is wrong? How is a child to be protected from the callous and casual brutality or the layers of neglect, or the temptation into drugs or alcohol that it is the fate of some children to endure, and to understand the consequences of only when it is much too late? How are they to fight against those predators who come in every possible guise - parents, relatives, trusted authority figures, strangers, neighbours, school pals?

Very often in such cases, the signs that bad things were at work in their lives had long since raised alarm bells, but not enough to prise open that closed intimate world, in which human rights can be trampled on daily and at will by all sorts of clever and manipulative bullies. Sometimes children have struggled to voice their worries only to have them ignored or overlooked. Every day of not telling, every day of not being asked and encouraged to tell, every day of not being listened to, is another day of triumph for the bully. There can be no peace in the heart of such a child. Carson McCullers put it well, “The hearts of small children are delicate organs. A cruel beginning in this world can twist them into curious shapes”.

Our generation is much more educated about these things. Old taboo areas have been opened. We are not as trusting or innocent as we once were and we have seen the growth of a culture of care for the rights of children as well as the growth of professions and protocols dedicated to their protection and vindication. Yet children still fall through gaps. Some children still live with a horrifying absence of peace in their lives.

We have been both fortunate and unfortunate on this island. Unfortunate in that the sectarianism taught and learnt over generations led to so many wasted and wounded lives, so much potential that just atrophied in the face of conflict and division. Many of us know what it was like to live inside the vortex of violence those communal divisions produced and how almost no-one knew peace of heart or mind during the years of bloodshed. We are fortunate, in that this generation courageously set about creating a new future based on peace and partnership. That peace is growing. So too is the partnership. The daily litany of public violent outrages has faded, thank God. Men and women of diametrically opposing political ambitions work collegially together in government and other organs of the Good Friday and St Andrews agreements. They debate, negotiate and compromise in order to overcome the natural differences between them. They work to a shared agenda for a future of peace, equality and justice for every single human being regardless of their ethnicity, beliefs, gender, sexual orientation, disability or age.

This miraculous and hard-earned fresh start which rests on lost lives and immense suffering has created on this island - and between these islands - a new mood of hope and the chance to write a new history. We know it is a process and dismantling the architecture of sectarian attitudes is an important element of the proper development of

that process. These things require changes in behaviour and thinking. And the evidence is in that such changes are possible with effort.

Children are part of that process, a vital and essential part of it. Their well-being whether in their homes, clubs, schools or streets will be the truest test of our success as peacemakers. Wherever their rights are abused is a danger zone we need to be aware of and dealing with. The multiplier effect of getting it wrong, of failing our children is devastating. That multiplier effect is not confined to the individual whose life is twisted out of shape by being the bully or the bullied but it cascades down through civic society in illness, dysfunction, underachievement, antisocial and criminal behaviour- a litany of problems which a more caring cradling could have avoided.

That wise social anthropologist Margaret Mead, put it well when she said:

“The solution of adult problems tomorrow depends in large measure upon the way our children grow up today. There is no greater insight into the future than recognizing that, when we save children, we save ourselves.”

A caring cradling starts with but does not end with a loving home. It needs a watchful community intuitive about the signs of abuse, conscious of the opportunities for abuse, mindful of the art of manipulation at which the abuser is master, and willing to intervene effectively, decisively and lawfully. It needs a strong community culture and ethic supported in schools, civic society and by those in positions of leadership which stands up to prejudice and promotes equal rights, in which both adults and children are rights-sensitive and rights-educated. It needs an administrative and legal infrastructure that offers accessible and timely protection to children who are at risk.

We can take some encouragement, therefore that, in overall terms and despite the challenges that clearly still remain in respect of some of our children, the generation being raised by today's parents are among the best cared for, healthiest, most nourished, cherished, best educated that have ever lived here. The civil and human rights structures which are in place for their education and protection are the strongest they have ever been. They are equipped as no other generation before them has been to face into and deal with intolerance of all sorts and rights and abuses of all sorts. They have a real

chance to see the emergence of a society at peace with itself, with neighbour at ease with neighbour, and in which relationships are characterised by mutual trust, respect and acceptance of - and indeed welcome for - difference and diversity. That is at the macro level, but at the micro level they face very powerful predators who have much more powerful tools and techniques such as the internet at their disposal. This generation has a real challenge to bring about a society where no child suffers in silence and to promote a world where children and childhood are genuinely cherished.

The standards and obligations of the United Nations Convention on the Rights of the Child are globally accepted as the benchmark against which governments are assessed on their efforts to realise the rights of children. The Convention also helps provide the legal basis for the Children's Law Centre and similar organisations. It is in centres such as these that children's rights are being championed and advocated in a ceaseless dialogue with civic society and legislators which has seen the agenda progressively strengthened, both North and South. Today children in Northern Ireland have a Commissioner for Children and in the South there is a Children's Ombudsman. In both jurisdictions the principle of "the best interests of the child" is fundamental to the provision of all services to children and families in the area of child welfare and protection. Every so often a dreadful case reveals to us a realm of failure and of progress still to be made and importantly a realm of suffering still being endured by children. It is reassuring to know that the Convention is the most widely ratified of the six core United Nations human rights treaties. That wide support is a compelling demonstration of the level of global commitment to the promotion and protection of children's rights. But if you are one of the tens of millions of children worldwide experiencing neglect, exploitation, abuse, or the consequences of political violence the words of the Convention, the declaration of rights is not worth a hill of beans unless those words can create, develop and sustain the means of protection, you need to live a humanly decent life.

That is why the authorities in both parts of the island of Ireland are co-operating on an ongoing basis regarding children's rights and child protection. The institutions of the Good Friday Agreement are proving their worth as a vehicle for effective cross-border co-operation. One particular example of this all-island co-operation is the establishment by the North/South Ministerial Council of a cross-border group of officials to intensify co-operation on Child Protection.

Arising from their meeting in June, 2008, I understand the group has selected to work together on five key initiatives including vetting and barring, internet safety, and the development of a protocol for the movement of vulnerable children and or vulnerable families across our borders. The group will report progress made on each of these initiatives to the North/South Ministerial Council and I wish it every success as they close the gaps through which advantage is so often taken by opportunistic predators whether related to the children or strangers.

There are other ways in which Ireland is helping make the world safer for children. Last year in Dublin we negotiated a global ban on Cluster Munitions, which became the Convention of Cluster Munitions - signed in Oslo just a few weeks ago by almost one hundred nations. So often as we have reason to know and to see almost daily on our television screens, it is children who pay the most appalling price for the political failures of adults and for the descent into conflict. As we watch the daily lives of children in Israel and Gaza so sadly compromised by the ongoing failure to negotiate peace we can only be hopeful that the appointment by President Obama of Senator George Mitchell as the US Special Envoy for Middle East Peace will give confidence and courage, dynamism and direction to the peacemakers, just as his appointment to Northern Ireland did many years ago. His appointment gives us some sense of the interconnectedness of diverse parts of our globe and how the experience of one can be put at the service of another. In the very same way the work of the Children's Law Centre here is vital not alone for the children of Northern Ireland but for a much wider audience. Your distilled wisdom and experience of the human condition as it affects children is a universal resource that feeds into the many debates and discussions at home and abroad about how we can build peace in our homes and peace in our streets.

Working, as so many of you do, in those spaces where children's lives are both desecrated and devastated, is far from easy. It is a vocation that is difficult but so very necessary. On the days when we read of the failures of families, of parents, of carers, of communities, of child care and child protection services - on days when we acknowledge that children, who depended on us to look out for them, slipped through visible gaps - we are brought close to despair. Giving in to despair is not an option. It does not change one whit the reality that children, though they do not always know it, are depending on us to be their champions, their advocates, their voices, their defenders. Those who abuse them in any

way, subtle or brutish, rely on our silence, our give-upperly to create the landscape in which they can operate with impunity.

There were those who gave up on peace-making and those who did not. The peace-makers stuck to their point and made their peace, consolidating it in a rights-for-all based culture. These uncertain economic times will bring a welter of added stresses and strains to many relationships, homes and communities. They will, in all likelihood, make some children more vulnerable. Those children need to know that their peace of heart and mind are on our minds. What we sow in these times we will reap. The children are always and ever our future. Abuse their rights and we disturb their peace of mind, perhaps for a lifetime. A peaceful future needs peaceful children.

Thank you

