

include YOUTH

Response to the Green Party's Private Members Bill: A Statutory Duty to Co-operate on Children's Services

Proposals for a Private Members 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

19 June 2012

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Introduction

Include Youth is an independent NGO that has been in existence since 1979. The organisation promotes the rights and best interests of and best practice with disadvantaged and vulnerable young people. We undertake activities aimed at influencing public policy and policy awareness in the areas of youth justice and education, employment and training of young people. Include Youth works directly with young people to support them to be engaged with policy decision making processes through our Young Voices project and to improve their employability through our Give and Take Scheme. We produce resources and provide training, information and support to practitioners and organisations.

General Comments

Include Youth welcomes the opportunity to respond to Stephen Agnew MLA's Private Members Bill to introduce a statutory duty on all government departments to collaborate in working to achieve the six high level outcomes defined in the ten year Children Young People's Strategy, and a statutory duty on all relevant government departments and agencies to co-operate in the planning and commissioning of services for children and young people.

We support the introduction of the bill and the placing of a statutory duty to co-operate on government departments and agencies to achieve better outcomes for children and young people. We have long advocated for the introduction of such a duty as we believe that it would materially improve the outcomes for all children and young people, but particularly for those children and young people we work with who are among the most vulnerable and disadvantaged in Northern Ireland.¹

Amongst the young people at risk with whom, and on whose behalf, Include Youth works are young people from socially disadvantaged areas, those with a learning disability, those with special needs, those who have been truanting, suspended or expelled from school, those from a care background, those who had a negative parenting experience, young people who have committed or are at risk of committing crime, misusing drugs or alcohol, undertaking unsafe sexual behaviour or other harmful activities, or of being harmed themselves.

¹ Include Youth (2011) Response to the consultation on the Report of the Review of the Youth Justice System in Northern Ireland pages 14-15

The following profile of young people who participate in Include Youth's Give & Take Scheme illustrates in stark terms the extent of barriers that such vulnerable young people face²:

- 100% are classified as not in education, training or employment
- 75% are from a care background
- 70% of young people have essential skills difficulties
- 60% are from a socially and economically deprived background
- 52% are in unsettled accommodation
- 46% have experienced abuse and / or neglect
- 44% have experienced mental / emotional health problems
- 39% engage in alcohol and substance misuse
- 34% have an offending background
- 24% left school early
- 16% have a learning / physical disability
- 5% are young parents

Many of these issues or barriers either have their roots in or have been made considerably more damaging and long term in their impact by the lack of adequate provision of services and supports at an early stage in these children and young people's lives. With the proper resourcing, supports and services many of these issues could have been, if not prevented, then ameliorated in their negative impact on children's development.

Despite some positive developments in relation to collaboration and joined up working across government departments, including the recent introduction by OFMDFM of the Delivering Social Change programme, government departments in Northern Ireland have a long history of working in 'silos', with any collaborative working largely dependent on informal relationships and the commitment of individuals. Funding has tended to be provided and allocated for the delivery of services specific to each department and in order to meet statutory responsibilities rather than with the aim of achieving shared outcomes for children and young people.

Given the current economic recession, with the potentially devastating impact of public service cuts on services for the most marginalised and vulnerable of our young people³,

² Include Youth (2010) Independent Evaluation of the Give & Take Scheme ; Include Youth Belfast paragraph 2.2

³ UNISON (2011) Rights in Recession – response to the Programme for Government/Economic and Infrastructure Strategies. This submission estimated a significant degree of funding cuts including 6% per annum in the health budget, a £300 million funding gap in education over 4 years with a cut of 15% in the schools budget

coupled with radical welfare reforms still to be introduced, there is a greater imperative than ever for the Northern Ireland Executive and government departments and all of their agencies to place the best interests of children and young people at the centre of planning, decision making, allocation of budgets and commissioning of services.

This is both in the interests of those most vulnerable children and young people who are most at risk from the economic recession and public service cuts but also in the interests of more effective and efficient resource allocation and management. A more collaborative approach to resource management should deliver savings through lower levels of duplication but more importantly through strategic long term investment in preventative services.

Recent research commissioned from nef (the new economics foundation) by Catch 22, a voluntary organisation working in England and Wales, which used a Social Return on Investment (SROI) cost benefit tool concluded that the lack of joined up government, with inefficiencies in current service provision to vulnerable young people was costing the UK economy dearly – the cost of youth unemployment was estimated at £8.1billion a year, with the cost of crime adding an additional £1billion each year.⁴ Conversely, by addressing the lack of coherence between different services and giving young people with complex needs the support they need the potential value for the state was estimated at £1.4 billion over 4 years.

An additional and important reason for the introduction of a statutory duty to co-operate is to ensure compliance with international children's rights standards. The UN Convention on the Rights of the Child, which was ratified by the UK government in 1991, contains a set of non-negotiable and legally binding minimum standards and obligations in respect of all aspects of children and young people's lives.

Provisions in the Convention are explicit regarding government's obligations to invest in children and young people and to ensure that children and young people remain a central priority for governments in policy making. The UN Committee on the Rights of the Child, following its examination of the UK government in 2008 recommended that:

"...the State party, in accordance with Article 4 of the Convention, allocate the maximum extent of available resources for the implementation of children's rights, with a special focus on eradicating poverty and reducing inequalities across all jurisdictions".⁵

⁴ Shaheen, F and Kersley, H., Improving Services for Young People: An Economic Perspective; new economics foundation

⁵ CRC/C/GBR/C/4 October 2008, paragraph 19

The extent and the seriousness of breaches of children and young people's rights, highlighted in successive sets of concluding observations from the UN Committee on the Rights of the Child make it fairly evident that compliance with its obligations under Article 4 of the Convention has still to be achieved by the NI Executive. It is our firm belief that the introduction of a statutory duty to co-operate on the Northern Ireland Executive and its agencies will ensure much greater prioritisation of children and young people within government policy making and will move government much closer to compliance with Article 4 of the Convention, as well as a wide range of other Convention provisions including Article 3 on the best interests, Article 2 on non discrimination, Article 6 on survival and development to the maximum extent possible and Article 12 on children and young people's participation in all decision making affecting their lives.

Specific Comments

Include Youth endorses the submission made by Children in Northern Ireland (CiNI) and wishes to reinforce the following points made in that submission:

- Collaboration and joined up working are neither mainstream experiences nor are they expected in relation to the functioning of government departments. Where collaboration exists, it is based on informal relationships and the goodwill of individuals.
- Leaving cooperation to be taken forward on a voluntary basis, rather than creating a statutory duty, ignores political and structural realities and risks maintaining the status quo of inconsistent and insufficient results.
- The reporting mechanisms incorporated in the proposal appear appropriate to achieve the objectives of the legislation. Include Youth would also suggest that a primary review be incorporated as well to assess initial impact and gauge any unforeseen barriers to effectiveness at an early stage. Ideally this should be conducted one calendar year from the date of enactment.
- Include Youth supports efforts within the legislation to create an enabling power to permit government departments and agencies to pool budgets and jointly commission services. This would make it easier for departments to work collectively towards shared outcomes and would also provide for more straight-forward investment in early intervention and preventative spending.

- The lack of coordination which this legislation seeks to address is clearly multidimensional and, therefore, the statutory duty to cooperate must transcend all levels and layers of government and must apply to all government departments and statutory agencies, without exception, which have a role in the planning, commissioning and delivering of children's services.

Concluding remarks

We are grateful for this opportunity to contribute to the current consultation. We trust that our comments have been helpful. We are happy to further discuss any of the issues raised in this response if that were helpful.

We would like to be kept informed of the progress of these proposals for a Private Members 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 and are keen to remain involved with the process as it develops.