

YOUNG PEOPLE'S RIGHTS
IN A BILL OF RIGHTS FOR
NORTHERN IRELAND

Report of a Conference for Senior Schools

Market Place Theatre, Armagh

19 November 2001



Organised by Queen's University Belfast, Armagh Campus
and Northern Ireland Human Rights Commission

INTRODUCTION

On Monday 19 November the Armagh Campus of Queen's University Belfast, in association with the Northern Ireland Human Rights Commission (NIHRC), hosted a consultation-conference in The Market Place Theatre, Armagh, for sixth-form students from schools throughout the Southern Education and Library Board (SELB) area. The theme of the conference was:

“Young People's Rights in a Bill of Rights for Northern Ireland”.

The Campus and the Commission have been working in partnership to give people in Armagh and the wider SELB area the opportunity to participate in the consultation being carried out by the Commission on the rights and responsibilities that should be in a Bill of Rights for Northern Ireland.

This is a short report of the schools' conference. It is intended to give feedback to the participating schools and to inform the Human Rights Commission of some of the views of the young people who attended the event.

There were many opinions expressed in the workshops and we have included those which were presented at the closing session.

Since its opening in 1995, the Armagh Campus has forged close links with local schools and community groups, and has provided opportunities for them to engage with decision makers, statutory agencies and advisory panels.

The Campus is particularly pleased to have organised this event in association with the Commission and hopes that there will be opportunities to work in partnership in the future on other joint initiatives for the area.

The Northern Ireland Human Rights Commission

The Northern Ireland Human Rights Commission was set up under the Belfast (Good Friday) Agreement 1998 to protect and promote human rights. Its duties (things it must do) and powers (things it may do) are set out in the Northern Ireland Act of 1998. The Commission has been given the task of consulting and advising the Secretary of State on the rights that should be included in a Bill of Rights for Northern Ireland. The Human Rights Commissioners have been listening to the views of people from all parts of the community in Northern Ireland.

A Bill of Rights

A Bill of Rights is simply a list of the rights that everybody, no matter who they are, should enjoy. It is an agreement between a state and its people which pledges the government to protect their rights. All authorities (including local councils, schools, hospitals, health and social services, and youth services) must live up to the standards set by a Bill of Rights. Most rights are not absolute – in other words, they cannot be taken to the extreme. Rights can be limited by, among other things, the responsibility to respect the rights of others.

Making a Bill of Rights for Northern Ireland

When it has listened to people (including children and young people) and discussed their views, the Commission will advise the Secretary of State on what rights, additional to those already protected by the European Convention on Human Rights (ECHR), could be in a Bill of Rights. The rights in the ECHR are mostly already law in Northern Ireland through the Human Rights Act, which protects familiar civil and political liberties such as the right to free speech, a fair trial or hearing, freedom of association and assembly (that is, the right to mix and gather peacefully), the right to vote, to marry and have a family, and so forth.

Under the Agreement, a Bill of Rights for Northern Ireland is to reflect the particular circumstances of Northern Ireland, drawing on international human rights documents and experience. The additional rights are to reflect respect for the identity and ethos of both (main) communities and parity of esteem. Equality, equal opportunities and the right not to be discriminated against will form an important part of any Bill of Rights.

A consultation document was launched by the Commission in September 2001. This document, entitled *Making a Bill of Rights for Northern Ireland*, contains among other proposals, a section on children's rights; that is, rights for all young people under the age of 18. Copies of this document, along with summaries in English, Irish, Ulster-Scots and Cantonese, on audio tape, and in a youth-friendly version, are available free from the Commission's offices. For further information, telephone 028 9024 3987.

The Commission welcomes the views of children and young people on their rights and on what should be in a Bill of Rights. Your opinions may be given to the Commission in any format – email, letter, poem, CD-ROM, poster, song, drama, artwork, or through events organised by schools, youth groups and projects. Commission staff will provide information materials and assistance where possible.

To encourage the participation of children and young people in the Bill of Rights consultation, the Commission appointed a children's coordinator for the Bill of Rights consultation, Sara Boyce, who has been helping young people present their views to the Commissioners. For further information about this process and a free booklet summarising the views of young people received by May 2002, entitled, *What You Said*, please phone the Commission on 028 9024 3987.

BACKGROUND TO THE CONFERENCE

People

Alison McCullagh and Elaine Reid from the Armagh Campus together with Miriam Titterton and Clodagh Boyle from the Commission worked to plan the event. A number of trained facilitators with experience in Human Rights and youth work participated in the event. They included Tricia Magee, Children's Law Centre; Fiona Murphy, Amnesty International; Lesley McAuley, an independent facilitator; Aideen Gilmore, Committee on the Administration of Justice Bill of Rights worker; and Sheelagh Colclough and Aine Quail, art workers.

Schools

Each school in the SELB area with sixth form students was invited to nominate 15 to 20 students, and accompanying staff, to participate. A pack with a video and training manual on Human Rights, the ECHR and the Bill of Rights was sent to each participating school, with workshop themes, learning outcomes for the day and suggestions for post-consultation work.

Teachers were also supported on the day in discussing what to many people is a new area of work, through an informal workshop with the Commission's Education Worker, Edel Teague.

Participants were involved in a combination of lectures, workshops and question sessions, the feedback and responses of which have been collated in this report.

What are Children's Rights?

Children's human rights have existed for nearly a century. Most of the world's countries have signed up to the *United Nations Convention on the Rights of the Child*. The Convention, drawn up in 1989, uses the word "Child" to include young people under 18 as well as younger children. The United Kingdom and the Republic of Ireland have both signed up to the Convention on the Rights of the Child, which means that the governments have each promised to respect the rights it contains.

The Convention contains 54 "Articles" or statements about rights to different things. The main areas of rights protected include survival and development of the child, and the three "Ps" - protection from all forms of abuse, violence and neglect; provision of services; and participation in society. The Convention covers the full range of rights – civil, political, economic, social, cultural and environmental – and includes rights relating to education, youth justice, care, employment, recreation, information, environment, and conflict.

The key rights of children and young people under the Convention on the Rights of the Child are:

- The right to be protected from discrimination, no matter who they are, or who their parents or guardians are (Article 2);
- The right to have all actions concerning them to be taken in the best interests of the child or young person (Article 3);
- The right to express an opinion on all matters affecting them – and be taken seriously (Article 12).

What difference does the Convention make to young people? It means that in every area of life – education, justice, health, play, the youth service – children's rights must be respected. All laws, policies and actions by government (which include actions by the education authorities, schools, health and social services trusts, the youth service, the youth justice system, the care system, and local councils) must respect the promises in the Convention.

A United Nations monitoring body, called the UN Committee on the Rights of the Child, measures how well countries are keeping their promises to children, and gives children and young people a say at the highest level.

(For more information about children's rights telephone Save the Children on 028 9043 1123 or the Children's Law Centre on 028 9024 5704. For advice about a problem or to find out the rights and laws which affect you personally, young people may phone the Children's Law Centre's advice line, "Chalky", Freephone 0808 808 5678 or write to "Chalky" at Freepost BEL3837 Belfast BT15 1BR.)

The Commission has looked at how young people's rights might be made more enforceable, and consequently more of a reality, through being included in a Bill of Rights. Commissioners will be discussing the responses to their proposals, including those of young people, until at least the end of the year 2002. They want to meet and talk with as many different groups of people as possible including all the political parties, in order to help them think about the final advice they give the Secretary of State.

It is hoped to present the final advice to the Secretary of State some time in 2003. The advice will then be referred to the Westminster Parliament so that legislation bringing a Bill of Rights into law can be drafted. Further consultation may then take place on draft legislation. A Bill of Rights could be in place by the year 2004.

THE PROGRAMME:

The students were welcomed by Alison McCullagh, Development Worker at the Armagh Campus, and Victor Brownlees, Clerk and Chief Executive of Armagh City and District Council.

Professor Brice Dickson, Chief Commissioner of the Northern Ireland Human Rights Commission gave the keynote address. He explained that the Commission has the task of consulting on the rights and responsibilities that should be in a Bill of Rights for Northern Ireland. Listening to the views of children and young people will form an important part of the consultation.

The draft document which the Commission has produced contains proposals for children's rights within a Bill of Rights for Northern Ireland. Professor Dickson explained that the UN Convention on the Rights of the Child applies to everyone under the age of 18 years. The Commission is looking at how to include the promises of the UN Convention in a Bill of Rights, and at how to give even greater protection to children's rights.

The Commission has also made proposals on education rights, criminal justice, and social and economic rights (such as rights to healthcare, housing, and employment). Young people may also have views about these areas. The Commission is keen to hear from young people and would encourage them to request the young people's version of the consultation document which is available free from the Commission offices or online through the Commission's website:

www.nihrc.org.

Following Professor Dickson's address, Miriam Titterton, Development Worker for the Bill of Rights consultation, responded to questions from the young people. There was a lively interest in how a Bill of Rights would work in practice to protect human rights in Northern Ireland.

DISCUSSION GROUPS:

Each discussion group was asked to consider the following themes:

- Young people's rights and a Bill of Rights for Northern Ireland
- Your personal rights
- Your rights at home
- Your rights in school and at work
- Your rights in your community and environment

Participants were asked to identify three priority points for inclusion in a Bill of Rights, and three questions for the Panel to consider.

The workshops were followed by lunch, then a further session of Feedback and Questions to a Panel. At this final session the results of an art workshop (*see below*) were presented. The conference closed at 2 pm with thanks to the organisers, the Council and the theatre staff.

Art Workshop

The Conference provided an opportunity for two students from each school to take part in an art workshop, facilitated by Sheelagh Colclough and Aine Quail. This was intended to appeal to those interested in art or forms of self-expression other than verbal.

The students first discussed what kind of figures would symbolise the values of a Bill of Rights. The values chosen by the group were Equality, Freedom and Justice. Images representing these values visually were then chosen for portrayal as relief sculptures.

Participants proposed and explored four ideas, two of which were created and presented to the Conference, where they were well received and provided some light relief (literally!). One idea was that of a Super Gran, "Bella Rights: No 1 SG". She is "the Best, because she beats the rest". The other was a powerful male figure wielding the sword of justice.

The final figures chosen by the group and presented to the audience were:

- a combined figure, with equality represented by a person, one half male, the other half female; freedom by wings, and justice by a hammer; and
- a female figure representing equality, freedom and partnership, with a dove of peace, divided into two sides, one white, the other brown.

Following the conference the sculptures were brought to the Human Rights Commission where they were photographed to form part of the Bill of Rights submissions.

SUMMARY OF WORKSHOP DISCUSSIONS:

GROUP 1

What rights do I have?

- Life
- Protection
- Health
- Education
- Freedom of speech
- Work/ employment
- Home/shelter
- Respect
- Right to a fair trial
- Equality
- Religion, practise your religion
- Food
- To express yourself
- Social life
- To play
- To make your own decisions
- To marry
- To have children
- Own language
- Culture
- Information
- Clean water
- To have a say

What three rights are most important to me personally?

1. Have my say and be listened to
2. Express ourselves freely /listened to
3. Equality

Other rights considered important personally were:

- Right to a home
- Food
- Life
- Practise your religion
- Education
- Health
- Freedom of speech

How would you feel if these were taken away from you?

Responses included: “annoyed”; “no say /no control of your life”; “no individuality”; “angry”; “not fair”; “like you didn’t matter”.

What rights should young people have at home?

- Privacy
- Respect
- Equality
- Take part in family decisions
- Right to choose your friends
- Listened to

- Make choices about your lifestyle

What support should be available for young parents?

- Extra money to them
- Support networks
- Parenting programmes

Are you listened to?

- Sometimes
- Listened to but not understood

GROUP 2

Produced a Charter of Rights:

1. Protection of unborn child
2. Special Powers Act abolished
3. Equal rights for gays
4. Lower age of child working age
5. Minimum wage rate
6. Equal rights for women
7. No judgement on race
8. No judgement on religion
9. No judgement on disability
10. Put age of vote to 17

After discussion the most important rights were agreed as:

1. Not to be judged by religion
2. Protection of unborn child
3. Not to be mistreated or abused

Overall for young people:

- Lower age of working
- Lower age for minimum wage
- Increase minimum wage

GROUP 3

What rights do I have?

1. No bullying (school)
2. Free education (school)
3. Better P.E. facilities (school)
4. Equality for women (personal, work, etc)
5. The right to vote at 17 (personal)
6. Action against people not paying the minimum wage (work)
7. Better housing (community, environment)
8. Better health service (community)
9. Equality in the justice system (community)
10. More child support (family)

The three most important rights chosen were:

- A definite justice system
- Better health service
- Free education for everyone

GROUP 4

The Right to Life:

No matter what the circumstances, no one should have the right to decide whether someone should live or die. There (are) always other options if you become pregnant other than abortion; ie adoption.

Sexism:

In Parliament, it is a known fact that the large majority of MPs are male. We feel that Parliament should be representative of every sector of the community.

Equal opportunity for both men and women, that is, women should be allowed to become priests in the Catholic church and in nursing there seems to be preference of women over men. Men also seem to get the well-paid jobs in companies especially in management.

Divorce:

Men should have more of a chance of getting custody of children (discrimination).

Freedom of Speech and Thought:

- Everyone should have the right to express their opinion – regardless of who they are.
- Being able to believe in whatever you want.

Most important rights?

- Right to Life
- Equality – at work, at school, at home, within society, equal opportunities

GROUP 5

Part Time Work - concerns included:

- Everyone whatever age should get same wages if doing same job.
- Accidents in the Workplace

Issues raised in Discussion:

1. Education and equality
2. Abortion
3. Freedom of thought
4. Freedom of speech
5. Cloning
6. Divorce
7. Women priests
8. Justice – innocent until proven guilty
9. Family and home life
10. Domestic violence
11. Right to live
12. Voting – what age?
13. Minimum wage
14. Racism and discrimination
15. Sexism (in Parliament)

QUESTIONS TO PANEL

The groups were asked to suggest questions for the panel, made up of Miriam Titterton, Tricia Magee, Fiona Murphy, and Aideen Gilmore. *(NB: A mixed panel of men and women had been planned; however, on the day due to unforeseen circumstances no male participants were available as panellists. This was commented on afterwards by some of the young men. The Commission has since worked on human rights issues relating to young men, and worked with Youth Action NI to hold a day on the Bill of Rights for young men aged 14 to 25).*

Only the questions are reproduced here:

1. Why is it that in our society it is acceptable for men to get preference over women when referring to jobs of high responsibility and high payment, despite the fact that girls are outperforming boys in all areas of education / exams?
2. How can we be sure of equality in the workplace, in school, at home and in society in general?
3. Does the panel recognise the need for representation for the young gay / lesbian community under this new Bill of Rights, and what protection would this give them?
4. With the situation of asylum seekers entering this country, will the Bill of Rights provide (for) a place of worship for those to practise their own religion?
5. Would a Bill of Responsibilities not be more useful to society than a Bill of Rights?
6. Just because the Bill of Rights worked for South Africa, how do you know it will work, and represent all sections of the community in Northern Ireland?
7. Where is the money coming from to fund this? Who is going to enforce these rights? What punishment will offenders receive?

These sensible questions indicated a high degree of awareness of equality issues, and reflect some of the concerns which have been raised with the Commission and which it is considering carefully.

CONCLUSIONS:

It is surprising that young people have not heard of their rights under the United Nations Convention on the Rights of the Child, despite there being an obligation on government, under the Convention, to ensure that both adults and children know about children's rights (Article 42 says that states must: *"make the principles and provisions of the Convention widely known, by appropriate and active means, to adults and children alike"*).

However, young people were able to demonstrate a keen sense of what is fair to themselves and others, especially those groups in society who are vulnerable to abuse of their human rights. The participants showed that they were concerned about a very wide range of human rights, in particular equality rights, demanding an end to sexism, ageism, racism, homophobia, and other forms of discrimination.

They wanted not only the traditional civil and political rights such as the right to life, justice, privacy, to vote (possibly at age 16 or 17) and freedom of religion and conscience, but also social and economic rights such as a minimum wage for young people, better housing, a better health service, and free education for all. They raised a number of issues pertinent to young people, such as the right to express yourself without being judged, to take part in family decisions, and to make choices about your lifestyle, and above all to be heard and taken seriously.

The conference participants raised the kind of questions which people from all parts of the community in Northern Ireland are concerned. Their contributions, given the short time they had for discussions, were lively, positive and interested. They raised issues of importance to all young people, in direct and concise language, and came up with thought-provoking questions for the Northern Ireland Human Rights Commissioners.

This report will be presented to the Commission as a submission to the Bill of Rights consultation. The views it contains will be considered carefully, together with those of other children and young people, along with all the other responses received throughout the consultation process. Such views will form the basis of a Bill of Rights written by the people of Northern Ireland for the dignity, equality and protection of every one of us, no matter what our age or background.

The Human Rights Commission wishes to thank all those who took part and supported the participation of young people in the conference, and to encourage the continued interest of schools, teachers and students in how a Bill of Rights is being shaped for Northern Ireland.

Schools Attending**Banbridge Academy**

Lurgan Road,
Banbridge BT32 4AQ.
Contact Teacher: Ms Sinead Quigley

East Tyrone College of Further and Higher Education

Circular Road,
Dungannon BT71 6BQ
Contact Teacher: Ms Elizabeth Shackle

Holy Trinity College

9–29 Chapel Street,
Cookstown BT80 8QB
Contact Teacher: Mr Pat Casey

St Catherine's College

Convent Road,
Armagh BT60 4BG
Contact Teacher: Mrs F Tennyson

St Colman's College

Violet Hill,
46 Armagh Road,
Newry BT35 6PP
Contact Teacher: Ms Patricia Magennis

St Patrick's Academy for Boys

37 Killymeal Road,
Dungannon BT71 6DS
Contact Teacher: Mr Paddy Pork

St Patrick's College

Scarva Road,
Banbridge BT32 3AS
Contact Teacher: Ms Una Vallely

St Patrick's Grammar School

Cathedral Road,
Armagh BT61 7QZ
Contact Teacher: Mr Seamus Savage

Royal School Dungannon

Northland Row,
Dungannon BT71 6AP
Contact Teacher: Mr KJ Hill
Teacher attending: Dr A McCarley