

Violence Against Children in IRELAND

Relevant extracts from an NGO alternative report presented to the UN Committee on the Rights of the Child

CRC Session 17, 5 to 23 January 1998

Children's Rights Alliance – English

Summary: www.crin.org/docs/resources/treaties/crc.17/Ireland_SmallVoices_NGO_Report.pdf

Full Report available at: <http://www.childrensrights.ie/pubs/SmallVoices.pdf>

[...]

The 1996 Labour Force Survey indicated that there are 61,700 persons aged between 15 and 19 in the labour force (14 % of the age group). Of this number, 43,100 were unemployed (88% full time); almost 12,000 were seeking their first regular job, and 6,700 were unemployed.²² Although there is legislation in place to protect young people in employment from exploitation there are no effective measures of enforcement in place.

Income Support

[...]

According to 1992 figures, the principal reasons for the admission of children were parent or parents unable to cope' (31%) , neglect' (20%) , parental illness' (12%) and physical or sexual abuse' (8% and 5%). Just over 50% of all children in care were there on a voluntary basis and the remainder were there as a result of a court order. Almost 60% of children in care were aged between 7 and 16.

[...]

There are no reliable statistics available on the number of children who have been abused or neglected. It is the responsibility of the health boards to produce such statistics, but the Alliance believes that the figures published are lacking in accuracy and credibility. Available information indicates that confirmed cases of child abuse increased by 298% between 1987 and 1995 although it is difficult to estimate whether the increase reflects a higher incidence of child abuse or of reporting. In 1995, the health boards received 6,400 reports of alleged child abuse. There were 765 cases of child sexual abuse reported in 1995, representing an increase of 327% on the figure for 1985. Most sexual abuse occurs within the family and more than three-quarters of children who are sexually abused come from families with social problems. There is also evidence to suggest that children as young as 12 are working as prostitutes in Dublin and some provincial centres.⁴²

Children in Conflict with the Law

[...]

At present, services for vulnerable children and children with disabilities in Ireland are significantly under-resourced. Although several progressive projects designed to meet the needs of children and parents have been initiated by both statutory and non-governmental agencies, many remain isolated examples which do not become part of mainstream services due to a lack of resources. In the absence of a national plan, the resources provided, which are in any case inadequate, have tended to be allocated in an arbitrary fashion. This has led to enormous pressures being placed on workers in statutory services; in particular, they struggle to deal with increasing demands for services to meet immediate or crises needs. Preventive services are also under-resourced.

[...]

Equal access to education by Traveller children has not yet been attained and this is illustrated by the fact that only 20% of those in the 12 to 15 age group attend school. This is possibly due to the lack of relevance of the school curriculum to Traveller children, the lack of

special training of teachers in special classes for Traveller children, the difficulty of their being accepted by the settled community and the lack of recognition by Traveller parents of the importance of education for their children.

The Alliance recommends that the problems experienced by children with disabilities and Traveller children in gaining access to education be addressed.

[...]

While minors in conflict with the law are not named in the media it is not uncommon for them to be clearly identifiable by photographs and by other information. The Alliance notes that all children are entitled to have their right to privacy protected.

[...]

In relation to children with disabilities living in residential care, these placements are often long distances away from the family home and children in these situations may have limited contact with their families and little or none with their own communities and neighbourhood friends. This can lead to potentially serious and sometimes irreparable damage to their relationships with their families and communities. The Alliance recommends that resources be made available to guarantee the child right to maintain and develop contacts with both parents.

[...]

The inadequacy of family support services and other factors results in the demand for alternative care placements exceeding the supply. At times, this has led to the inappropriate use of foster care placements, hospital beds, bed and breakfast accommodation (which means that children must leave each morning and do not have trained staff available to cater for their needs) and the frequent moving of children from place to place.

[...]

At the end of 1996, at least 14 Irish children placed in statutory care were in residential facilities in Northern Ireland, the United Kingdom and the United States at an approximate cost of IR800,000. The Alliance has serious concerns about the impact on a child of placing him/or her outside the jurisdiction where the child is no longer in the care of the Irish authorities. In particular, it notes the difficulties which such children may encounter in maintaining contact with their families and repatriating following their return to Ireland. It is concerned that this situation reflects the inadequacy of planning and resourcing of services and facilities for children in need of care and protection in Ireland.

[...]

There are up to 5,000 homeless people in Ireland at any one time, almost 10% of whom are children as young as 10 years old. Recent research indicates that this figure is increasing and results at least in part from the inadequacy of the care system in addressing the diverse needs of children and young people at risk. Children are also affected by homelessness where they are members of families who become homeless for various reasons and for whom there is inadequate emergency accommodation.

[...]

Most of the special units for investigation and management of cases of child sexual abuse to which the First National Report of Ireland refers focus only on initial issues of trying to ascertain whether allegations can be validated. There are clear gaps in the provision of treatment and support for all those involved in situations of abuse.

There is a general neglect of the broader issues involved in child sexual abuse as indicated by the small number of treatment programmes for offenders. A grant of IR10,000 is to be made available to evaluate one programme for offenders, which is welcome. The Alliance believes that the provision of an adequate range of therapeutic facilities for offenders is an important means of preventing abuse and protecting children. It urges that following an evaluation of this programme further resources be allocated to facilitate the development of programmes elsewhere.

[...]

Research has found that 18% of Irish women have been threatened by physical violence. More than 50% of women who have experienced physical abuse say that their children have witnessed this abuse. Despite this evidence, there is no comprehensive strategy

to protect children from domestic violence. The provision of refuges and support services for women and children who are the victims of domestic violence is inadequate. A total of 316 children and their mothers passed through one Dublin refuge for victims of domestic violence in 1995. Ten of the twelve refuges in the country do not have child care staff. The Alliance does not believe that the placement of child victims of domestic violence in bed and breakfast or hostel accommodation is conducive to their physical and mental well being.

[...]

There is concern that many young children have unrestricted access to sexually explicit, violent films and other wholly inappropriate material in Ireland. Although some parents may be unaware of their children viewing, in some instances it can be part of an abusive situation. There is also clinical evidence that some children videotape pornography from satellite television stations and then sell it to other children in school. This material has a damaging impact on children and also leads to desensitisation.

[...]

Under Irish law, children may be physically punished by parents and those in loco parentis, provided this punishment can be considered as reasonable chastisement. In a 1994 report, the Law Reform Commission reviewed this issue and concluded that as it would be premature to abolish the common law chastisement exception immediately, the re-education of parents should proceed without delay and the exception should be abolished without delay. The Alliance is firmly against the physical punishment of children by parents and others. In addition, it believes that the Government must provide leadership through the resourcing of family support and parent education programmes aimed at discouraging parents from slapping children and providing them with alternative ways of communicating with them. Following the evaluation of such programmes, the common law chastisement exception should be abolished.

[...]

Transport is a major problem for children with disabilities generally. In particular, the standard of transport to and from special schools is often inadequate. Most public transport is inaccessible to wheelchair users and the visually impaired. The pilot project of using wheelchair accessible vehicles on a fixed route linking buses to the national railway network is no longer in operation. The national rail network is only accessible for those in wheelchairs by special arrangement and not all of the suburban rail network stations are accessible by wheelchair. In many cases, children with physical and multiple disabilities must still be lifted on and off buses by parents and staff, while school buses do not have appropriate lifts. This can be dangerous and does not respect the right of the child with a disability to be treated with dignity. In order to ensure that easy, dignified and safe transport is a right enjoyed by all children, resources must be made available to make public and school transport systems accessible to children with disabilities.

[...]

Families dependent on social security payments receive additional allowances in respect of children - Child Dependant Allowances - which, along with Child Benefit, a universal payment, are intended to meet the cost of maintaining their children. It has been shown, however, that the combined value of these payments falls far short of the estimated cost of rearing a child at even a basic standard of living.

[...]

The most significant cause of poverty in households with children was unemployment - as was the case in 1987. Despite recent falls in unemployment, Ireland continues to have a significantly high level of joblessness and a rate of long-term unemployment that is the highest in Europe.

[...]

The Alliance considers that the high risk of poverty in households with children, and the significance of unemployment as a cause, are issues which should be a priority among national concerns. As the National Anti-Poverty Strategy points out: children have been shown to do less well educationally, are more likely to suffer ill health, are vulnerable to homelessness and delinquent behaviour and have fewer opportunities in life. Child poverty can seriously damage the life chances of many children, leading to a cycle of deprivation which repeats itself from

generation to generation

[...]

Given the vulnerable position of young people in the work force, the Alliance believes that an action by an Inspector, who is charged under the legislation with monitoring its implementation, should not be dependent solely on the evidence of an employee in order to obtain a prosecution against an employer. A prosecution should also be possible on the basis of the report of the situation and the reasonable belief of the Inspector, having regard to all the circumstances.²⁰³ The Alliance recommends that a serious effort be made to devise effective means of enforcing legislation aimed at the protection of young people in employment.

[...]

There is evidence of an increasing number of children working as prostitutes on the streets of Dublin and the problem has also emerged in Dundalk, north of Dublin. The extent of the problem is unknown, as official statistics on prostitution do not apply the criterion of age. However, groups working with children on the streets indicate that the problem is linked to issues of poverty, homelessness and drugs. Children as young as 12 are reportedly being used as prostitutes in Dublin and other provincial towns. The Alliance recommends that the Government recognise and address in a comprehensive way the emerging problem of child prostitution.

[...]

The criminal law in relation to sexual offences has undergone considerable reform in Ireland during the past decade, but there are still some remarkable lacunae in the area of sexual offences against children. There is still no offence of 1d sexual abuse. All of the standard offences, such as rape, sexual assault and incest do apply to children as well as to adults. Taken together, these outlaw most, but not all, violent and exploitative sexual behaviour against children. For example, behaviour such as masturbation in the presence of a child or an invitation by a male to a female child to masturbate him is difficult to bring within the definition of any existing offence.

[...]