



Response to  
The Regulation and Quality Improvement  
Authority Draft Corporate Strategy 2017-21

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Children in Northern Ireland (CiNI) are the regional umbrella body for the children's sector in Northern Ireland.

CiNI represents the interests of its 160 member organisations providing policy, information, training and participation support services to members in their direct work with and for children and young people. CiNI membership also includes colleagues in the children's statutory sector recognising that the best outcomes for children and young people are increasingly achieved working in partnership with all those who are committed to improving the lives of children and young people in NI.

CiNI welcomes this opportunity to provide some feedback on the **RQIA Draft Corporate Strategy 2017-21**. We trust that our comments will be positively used to inform the next step in the process.

### **Child rights approach**

CiNI welcomes that the RQIA is committed to a human rights based approach to work; however we would remind the RQIA of the need to also ensure a child rights focus is needed in line with both United Nations Convention on the Rights of the Child (UNCRC) and including the United Nations Convention on the Rights of People with Disabilities (UNCRPD).

A child rights approach to childhood services means starting from a position of recognising all young children as citizens and holders of all the rights enshrined in the UNCRC. Early childhood is a critical period for realisation of these rights. This requires the application, without restriction, of the four guiding principles of the UNCRC to all young children.

CiNI would highlight the particular significance of UNCRC Article 2 on the Right to Non-Discrimination which states:

*1. State Parties shall respect and ensure the rights set forth in the Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardians race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.*

*2. States Parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members.*

The Committee on the Rights of the Child highlights that young children are especially at risk of discrimination because they are relatively powerless and depend on others for realisation of their rights.<sup>1</sup>

In addition to the UNCRC we would also draw attention to other relevant international human rights treaties including the United Nations Convention on the Rights of People with Disabilities which was ratified by the UK Government in June 2009.

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<sup>1</sup> CRC (2005) General Comment No.7 *Implementing Child Rights in Early Childhood* CRC/C/GC/7

We would draw particular attention to UNCRPD Article 7 on Children with Disabilities<sup>2</sup> which states:

*1 States parties shall take all necessary measures to ensure the full enjoyment by children with disabilities of all human rights and fundamental freedoms on an equal basis with other children.*

*2 In all actions concerning children with disabilities, the best interests of the child shall be a primary consideration*

*3 States Parties shall ensure that children with disabilities have the right to express their views freely on all matters affecting them, their views being given due weight in accordance with their age and maturity, on an equal basis with other children, and to be provided with disability and age appropriate assistance to realise that right.*

In addition to UNCRPD Article 7, we would also draw attention to Article 5 Equality and Non-Discrimination; Article 23 (3) Respect for home and the family; Article 24 Education; Article 25 Health; Article 28 Adequate Standard of Living and Social Protection; Article 30 (d) Participation in cultural life, recreation, leisure and sport.

Furthermore, children and young people with disabilities are largely invisible in many strategic policy initiatives. They tend to fall between disability services and children's services and therefore their unique and specific circumstances and needs as children with disabilities are often

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<sup>2</sup> <http://www.disabilityaction.org/centre-on-human-rights/resources/un-convention/>

overlooked. This can result in children with disabilities and their families becoming invisible when key decisions are made about establishing the need for, planning and delivering services, including public services. We would like to see further information from the RQIA including how you will ensure quality of services for children with disabilities including provision of short breaks.

It is vital that all children reach their potential and we look forward to the RQIA ensuring the rights of all children and young people are upheld.

### **Respect for the views of the child**

Article 12 of the UNCRC provides for respect for the views of the child - 'State Parties shall ensure the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.'

CiNI would welcome further information on how the RQIA has involved children and young people within the consultation and how the RQIA will continue to consult with children and young people so they can provide a valuable insight and input to their unique experience as service users.

This is in line with Article 12 of the United Nations Convention on the Rights of the Child (UNCRC). However, it is important that appropriate versions of the RQIA corporate plan are available in formats accessible to children and young people. We would welcome confirmation that a children's version is available.

## **Engagement with Children & Young People**

Moreover, in relation to consultation with children and young people we would highlight the Ask First principles which were endorsed by the then OFMDFM. The principles are underpinned and informed by the UNCRC and Section 75 of the Northern Ireland Act (1998). Ask First principles are the Northern Ireland standards for children and young people's participation in public decision making. The standards were developed by our Participation Network project to assist public authorities to establish effective direct engagement with children and young people. The standards set out the various elements, which together, ensure that the involvement of children and young people in public decision making is both meaningful for them, and effective for the public authority with whom they are engaged.

Furthermore, we are keen to promote best practice through our work done through the Participation Network especially around how effective consultation can be with children and young people and as evidence by the work we undertook with the Marshal Enquiry.

We would welcome further information on how the RQIA will ensure the views of children and young people follow these principles.